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City of Fairfax City Council Meeting, Tuesday, September 30, 2025

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Place City Hall, City of Fairfax, Virginia
Length 3h 21m (video)

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[00:00:31] Good evening. Like to call the regular meeting of September 30th, 2025 to order. Please note the public hearing for the firearms ordinance will be held as a work session item tonight. The public hearing will be rescheduled to a date certain. Also the Willard Sherwood land use application public hearing is scheduled for Tuesday, October the 14th, 2025. For anyone who may have come expecting a different agenda, sometimes we do move things around in a way that makes sense for the work that we're trying to do here on the dais.

[00:01:02] If you are able and so choose, please rise for the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:01:24] And I'll ask the Fiesta Committee to join me down in the well for a proclamation. Mayor, I think you have a request for remote participation. We're going to after proclamation. After proclamation, okay, my bad. Okay, is my Fiesta Fairfax committee still out in the lobby?

[00:01:58] Hello. Here they come. No problem. Please come join me, Fiesta Fairfax committee. I want to proclaim to you. All right.

[00:02:16] And this, by the way, is our third annual. Third annual Fiesta Fairfax. Very proud. Proud of all the people who helped organize it. Yes, indeed. Yes, yes, yes. Whereas each year, Americans observe National Hispanic Heritage Month from September 15 to October 15 by celebrating the histories, cultures, and contributions of American citizens whose ancestors come from Spain, Mexico, the Caribbean, and Central and South America.

[00:02:46] And whereas the observation started in 1968 as Hispanic Heritage Week under President Lyndon Johnson and was expanded by President Ronald Reagan in 1988 to cover a 30-day period starting on September 15 and ending on October 15. It was an accidental law on August 17, 1988, on the approval of Public Law 100-402.

[00:03:08] And whereas the day of September 15 is significant because it is the anniversary of independence for Latin American countries Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. In addition, Mexico and Chile celebrate their Independence Days on September 16 and September 18, respectively.

[00:03:27] And whereas, as our nation approaches its 250th anniversary, we take this opportunity to highlight the critically important contributions the U.S. Latino community has made to our nation's founding, its infrastructure, economy, and global competitiveness, for over 500 years.

[00:03:46] And whereas during National Hispanic Heritage Month, we reaffirm that diversity is one of our country's greatest strengths, we also acknowledge the Hispanic leaders who have stayed in the struggle for equal justice to ensure that everyone in this nation can contribute their talents and have the opportunity to thrive.

[00:04:05] And whereas the City of Fairfax celebrates Fiesta Fairfax, an event on Saturday, October 4, with cultural performances, music, food, and educational exhibits highlighting the contributions and experiences of the Hispanic, Latino, and Latinx community.

[00:04:22] Now, therefore, I, Catherine S. Reed, Mayor of the City of Fairfax, Virginia, do hereby proclaim September 15 to October 15, 2025, its National Hispanic Heritage Month in the City of Fairfax, and encourage the community to continue celebrating the month and recognize their contribution to the city.

[00:04:39] So, a few words for Mr. Estuardo. Thank you so much. This is so great to be with you. And, of course, we can't do this without the incredible support of Mayor Catherine Reed and, of course, of the City Council. So thank you all very much for continuing to believe in the importance of highlighting the contributions of the broader Latino community across the city, across the region, and really across the country.

[00:05:07] It has been my pleasure to highlight with my wife, Elizabeth, the important pieces of our history that are missing. Across our National Mall, we have historic and iconic museums that tell America's story.

[00:05:25] And for almost 250 years, this nation has enjoyed great success, thanks to the diversity that has come together, not just within those 250 years but dating 250 years before with as the proclamation states the Spanish the Mexican the indigenous communities that have come together to build the first city in our nation which is San Augustine Florida the first capital in our nation Santa Fe New Mexico and to take 30 days out of the year which you know I think we should just do this all year round but to take 30 days out of the year to put some emphasis on on that strength that comes from the

[00:06:01] broader Latino community, not just in the day-to-day work in the service industry, construction, but innovation in science, medicine, sports, the broader – I interviewed someone last year who created the robotic arm for the Mars rover some time back. So these are touch points across all areas of our society, and we're just pleased to be able to take a moment in Fairfax City to highlight how important these contributions are. So thank you again, Madam Mayor, and we look forward to having all of you join us this weekend in the Old Town Hall, Old Town

[00:06:40] Square, to celebrate. Thank you again. Thank you. I'm sorry. Laura, can you come up, please? Because you've been working really hard on this.

[00:06:57] You've been laying up. Come on down. I was looking for you. Come on down. Always late. It's okay. Your face is always photo red. Thank you so much.

[00:07:16] You're so happy to be with you. You can have a seat on the back of the day. Yes. Thank you. So I'm going to ask the city's commission for women to join me here.

[00:07:32] And Sophia Nicholas from Inova to join us. Okay. The gang's all here. Come on down.

[00:07:48] All right. Thank you. Thank you, ladies, very much. Whereas breast cancer is one of the most commonly diagnosed cancers among women in the United States and the second leading cause of cancer deaths with significant impact also on men.

[00:08:04] And whereas it is estimated that in 2025, hundreds of thousands of people will be diagnosed with breast cancer, reminding us that this disease continues to pose a serious threat to individuals and families across our communities. And whereas advances in early detection and improved treatments have led to a continued decrease in mortality rates, increasing the five-year survival rate to nearly 90% for those diagnosed with breast cancer.

[00:08:32] And whereas individuals whose family history or other risk factors put them at increased risk for breast cancer should discuss proper prevention and early diagnosis strategies with a qualified health care professional. And whereas National Breast Cancer Awareness Month in October provides an opportunity to raise awareness of this disease, honor the survivors and those living with metastatic breast cancer, and remember those who have been lost.

[00:09:00] And whereas a supportive network of survivors, caregivers, advocates, and health care providers gives hope to those battling breast cancer and helps increase public knowledge about the importance of early detection through self-exams, regular screenings, and mammograms.

[00:09:15] And whereas we must continue to advocate for equitable access to affordable breast cancer screenings and quality health care for all members of our community, now therefore I, Catherine S. Reed, Mayor of the City of Fairfax, do hereby proclaim the month of October 2025 as Breast Cancer Awareness Month in the City of Fairfax and encourage the community to join in activities that will increase awareness of what we can do, what we can all do to help prevent and control breast cancer.

[00:09:45] And with that, I'm going to turn it over to Janelle for some remarks. Thank you. All right. On behalf of the Fairfax City Commission for Women, I want to thank you, Mayor Reed, for issuing the proclamation and shining a light on such an important issue, the importance of early detection, regular screenings, and advocating for equitable access.

[00:10:05] To care for all, this October, we invite you, the City Council, all the residents and the businesses of Fairfax City to think pink, focusing on action awareness accessibility and acknowledgement we are proud to partner with inova civil cancer screening and prevention center in this effort and we encourage the entire community to join us in turning the city pink place a yard sign at your home add a sticker to your business window or wear a pink ribbon on your shirt and so tonight we're honored to gift you mayor reed and the city council all pink yard signs in hopes that you will join us in our effort and acknowledging Breast Cancer Awareness Month.

[00:10:43] Thank you. Thank you. All right.

[00:10:46] I'm going to ask Chloe Ritter to join me here

[00:11:29] for another very important proclamation having to do with pedestrian safety, which is very important in a city that aspires to be more walkable with each passing year. Whereas, walking is a healthy and sustainable option for connecting to public transit, parks and neighborhoods, local businesses, schools, and other locations in the community.

[00:11:56] And whereas safe streets and sidewalks help create a welcoming environment for people of all ages and abilities and helps make the city more accessible for everyone, including the most vulnerable residents and visitors, and also our canine residents on leashes.

[00:12:14] Yes, Reggie. And whereas pedestrian safety is a critical concern, as the city and the region have seen increases in pedestrian fatalities and injuries in recent years, And whereas the City of Fairfax is committed to supporting pedestrian safety with the ongoing development of pedestrian and safety plans and investments in multiple projects to improve pedestrian facilities.

[00:12:36] And whereas ensuring pedestrian safety is a shared responsibility for the entire community, requiring drivers, cyclists, scooter riders, and walkers to remain alert, to be visible and predictable, and treat each other with mutual respect on our roadways.

[00:12:55] Now, therefore, I, Catherine S. Reed, Mayor of the City of Fairfax, do hereby proclaim October as Pedestrian Safety Month in the City of Fairfax and encourage everyone to enjoy the benefits of walking and to work together to promote safe roads and sidewalks in our community.

[00:13:14] Thank you, Mayor Reed, and thank you to all the City Council members for supporting pedestrian safety in all of our projects and for taking this opportunity to highlight the importance of pedestrian safety. Everyone is pedestrian sometimes, and we all want to get where we're going safely. And so it's really important that we all share this responsibility.

[00:13:32] The city does have goals set to improve pedestrian safety to help make it easier to walk between neighborhoods and schools and activity centers. And we're working really hard to try to make the streets and the sidewalks safer with several sidewalk projects, crosswalk improvement projects, whether they're funded or looking for funding or in design.

[00:13:52] So we're working really hard to improve the infrastructure. We are also currently working on a plan to prioritize future improvements. We're creating a safety and pedestrian plan called Move Fairfax, and we have a survey going out this week and an open house next Wednesday at the library, and we really hope to hear from everybody about what their concerns are, what their priorities are, so that we can develop those plans to make our pedestrians safer in the future as well.

[00:14:16] And we also hope that people will take this month as a reminder to practice pedestrian safety and practice traffic safety as they're driving and walking to put away your phones, slow down, make sure you're visible, especially as the days are getting shorter, you want to be visible at night.

[00:14:33] And just generally, as I said in the proclamation, to make sure that everybody's taking care of each other and respecting each other on the roads and making sure we're all safe. So thank you again.

[00:14:46] We can move to the consideration for remote participation

[00:15:27] by Council Member Hardy Chandler. Is there a motion to approve the remote participation by Councilmember Hardy-Chandler, Councilmember Hall? I move to consider remote participation by Councilmember Hardy-Chandler pursuant to Code of Virginia Section 2.2-3708.2.

[00:15:44] Is there a second? Second. Motion's been made and seconded. A roll call vote. Councilmember Amos? Aye. Councilmember Hall? Aye. Councilmember Peterson? Aye. Councilmember Bates? Aye. Councilmember McQuillan? Aye. Motion passed unanimously.

[00:16:00] We will now go to the agenda adoption. I move to adopt the agenda as presented. Is there a second? The motion has been made and seconded. A roll call vote. Council Member Amos? Aye. Council Member Hall?

[00:16:16] Aye. Council Member Peterson? Aye. Council Member Bates? Aye. Council Member McQuillan? Aye. Council Member Hardy-Chandler? Aye. Motion passed unanimously. We will go on to initial general public comment.

[00:16:33] I had eight speakers sign up by 5 o'clock p.m. today. I'm going to call the first speaker up. It's Anita Light.

[00:16:52] Good evening, Mayor Reed and members of city council. I'm honored again to represent Fairfax Village in the city and the advisory board. A couple of our advisory board members are here tonight with me, along with Jason Skadron, who's our village coordinator, who continues to do a fabulous job.

[00:17:11] I'm pleased to be able to present our annual report. I believe each one of you were given a copy of this, and I hope you've had a chance to review it in a little more detail than what I'll be sharing tonight. There's a lot of great information in there. Just to hit some of the highlights, we achieved our goal of 50% increase in membership and also in the number of volunteers that we have serving our members.

[00:17:40] We significantly increased our service requests, and we increased volunteer hours that resulted in a value of over \$50,000 to the city. We continue to receive accolades from our members about the help that they receive from our volunteers, and we continue to build on the programs that we believe will bring valuable information to all of our members.

[00:18:02] Our Home for Life Expo and Friday morning speaker series has been well attended, and it gives the city recognition and lets our members know that their well-being is important to you as leaders of our community, and our programming is going to continue throughout the year.

[00:18:25] Yesterday and today, several members of our advisory board were able to attend the National Village to Village Network Virtual Summit as a result of a very generous anonymous donation who paid our registration fee.

[00:18:40] We were able to learn quite a lot at this summit on such topics as solo aging, AI for villages, data gathering for impact, dementia, connecting villages to health care. And there was a session, one of the last ones today was on ageism, which I hope that we can bring that program here to Fairfax City through one of our programming events and we'll invite you all and hopefully you'll be able to learn about that as we learn and our village leadership also recognizes the importance of working on social isolation

[00:19:19] as highlighted in the Surgeon General's 2023 report on loneliness and social isolation and we'll be submitting a grant proposal for funding from the Virginia Department of Aging and Rehabilitative Services that will support the training of our volunteers in how to observe and communicate and engage our members in ways that will help reduce social isolation.

[00:19:45] And once our volunteers have received that training, they'll be participating in our friendly visiting program. anyway to thank you all again for your support um we we are one of uh over almost 350 villages nationwide that is supported by a local government we're unique and we're continuously asked to talk about that and we uh without your support we wouldn't be able to do that so we really appreciate

[00:20:18] it and appreciate your support thank you our next speaker is philip latassa i speak tonight representing the Friends of Akadeng Creek. In the October edition of the Fairfax Independent, we read the dismaying story of how assumptions and misunderstandings regarding the contractual repayment obligations led the City Council in June to vote to proceed with the George Snyder Trail.

[00:20:47] To the contrary, the project agreement has very clear cancellation clause as the article explains in detail. We have been pleading with the City since 2019 to spare Akadeng Creek, its forest, and its wetlands from this project. We have pleaded for the alternative of making nearby streets safe and inviting for people.

[00:21:05] We repeat that plea now. Together, we must atone for the sins of North Hacks West, voiding the streamside resource protection area, voiding the floodplain protections, burying a living perennial stream filled with fish, the North Fork of Accutane Creek, in the eternal darkness of a concrete tunnel.

[00:21:26] Together, we must forego our desires in order to spare this creek yet another unbearable burden. The assertions made by George Schneider Trail advocates of planting more trees in the forest than would be cut are fallacious. There is no denying that two acres of asphalt, plus attendant structures, would be thrust into this forest.

[00:21:44] Nothing, nothing would ever grow in that asphalt forever. We have plenty of asphalt. Let Tree City USA protect the few forest habitats this city has left. The example of Richmond's Mayo Island Park is an inspiration. Adding conservation easements.

[00:22:01] Removing acres of impervious surface. restoring nature, reducing runoff, and giving up lanes of car traffic for buffered bike lanes and sidewalks. It is being done in Richmond, and it can be done here. Please cancel the George Schneider Trail, the Pickett Connector Trail, and all similar redundant trees to asphalt conversion plants.

[00:22:21] Thank you. Our next speaker is Judy Frazier, sorry, Judy Fisher. My name is Judy Fisher. I have lived in the city of Fairfax for a very long time. I became an advocate for common sense gun safety legislation when my student, Mary Reed, was killed at Virginia Tech in 2007.

[00:22:50] I was horrified to learn that more than 60 people died every day by gun in 2007. Do you know what that figure is today? Guns are the number one killer of children in the United States. Over 120 people die by gun every day.

[00:23:11] I was listening to J.D. Vance last week. Referring to the killing of Charlie Kirk, he said, we must do everything we can to lessen the possibility that our young people die from gun violence. His words, lessen the possibility. You on the city council have the opportunity to do that here in the city of Fairfax. You can amend the ordinance banning weapons at street events so that there are fewer opportunities to be killed by gun in our city. Lessen the

[00:23:48] opportunity take this action to make our city safer for the many attendees at our public events you do not want to be on the evening news being interviewed after a tragedy our next speaker is ellen pence i'm ellen pence 3211 adams court gun violence costs america 229 billion dollars

[00:24:25] annually. More than \$700 per person every year will pay the tab for first responders, legal proceedings, medical treatment, lost wages, and long-term care for victims. That's six times what the U.S. spends annually on foreign aid, only it's probably more than that now. You can look up the statistics on that. In the 1930s and 1940s, my father-in-law was a fur trader in the Dakotas.

[00:25:02] He shot beaver and raccoons and birds. He raised mink. He shot foxes from an open cockpit airplane, and the state paid him a bounty of five dollars per fox during the Depression, and he got to keep the pelts. He had a cold storage locker in Chicago. He shot pheasant and was a hunting guide for pheasant hunters. Back then there were hunting accidents, but there were no mass murders. That

[00:25:34] day is gone. We don't live in Dakota territory here. Fairfax City needs to get at least into line with our surrounding jurisdictions with strong gun control measures. In fact, we should be leading the way instead of following them. Please do what is right. Let's keep our city safe from gun violence. Now, on another subject, the carts. I have told you and the city staff members over and

[00:26:10] over again that I cannot store or use a rolling cart of any size. I live in a townhouse with no garage, no driveway that goes to no street or road. Adams Court is a parking lot, a very tightly parked parking lot crammed with vehicles. No room for carts of any size. Furthermore, steep stairs go down to my back patio. My trash and recycle is kept in my kitchen, which is on my main floor.

[00:26:40] So all of my trash and recycle has to go out my front door. I take compost items to city hall to be composted. We aren't allowed to keep trash on our patios because of rodents. It's obvious that the city intends to very soon put a complete stop to our trash service in Cambridge Station by limiting pickup to Cardinal Road, which is two whole blocks from my house. So I would have to drag carts upstairs and two blocks away from my house. And I think you need to talk to your

[00:27:13] staff members about what their plans are. Thank you. Now our next speaker is Judy Frazier. we do get confused a lot. One reason I am actually glad that you did not choose to vote to cancel the trail, George Schneider Trail, in June was because of the motion that was in your packet that evening that theoretically you would have read in order to cancel the trail, which says you would do it

[00:27:50] with the understanding that full repayment of project expenditures will be required. That is irresponsible. There is no requirement to repay fully those funds. Even that night before knowing what I know now, I thought that was egregious. So fortunately you did not vote to cancel and commit the city to

paying 3.7 million dollars that it doesn't need to. That is the very worst case scenario. No matter what, these types of funds are negotiated. But this is a very unique

[00:28:25] fund. It's a concession fund. It's private money that came from a developer to the Commonwealth. So this is not like other VDOT funds, even though our city website now calls them VDOT funds. They are not VDOT funds. They are private money that was given to the Commonwealth for a very specific purpose. And this is a serious mistake that almost cost our taxpayers, us, a lot of money.

[00:28:51] And it's hard to imagine how that happened. And I think you should have answers. But be that as it may what vdot said was i have it here that we would um that if the city cannot complete the project in accordance with the executed agreement by vdot and the city project expenditures are subject to payback not required to be fully paid back or anything but the critical thing here is that the executed agreement as as mr latassa mentioned has a straightforward clause for

[00:29:28] cancellation. So cancelling would be in accord with the executed agreement. You had that option all the time. It was sitting there in the agreement that was signed for this project. So I think before you go forward with any contract on this project, you should have answers and you should be able to retake that vote out from under the cloud of this purported penalty for not going forward with a very costly and environmentally damaging project. I think you four of you know that that is the case and that we do not need that project. We do not need the costs of that

[00:30:07] project. We do not need to damage more of our environment than we already have. We can take a new path forward and that starts with you all. Thank you. Our next speaker is Shelly Vance. I'm Shelly Vance from Cambridge Station. I come to revisit the issue of the George Snyder Trail and the 4-2 vote taken by council on June 10 of this year to go forward with the trail with its environmentally destructive design.

[00:30:40] The yes vote of two of the four affirmative votes were based on misinformation about the requirement of the city to repay some \$3.7 million. Both council members indicated that they were against the damaging design of the trail, but that the payback overrode those concerns.

[00:31:00] Apparently, according to the 2018 project agreement signed by the then city manager and the VDOT chief of policy, the city is not required to pay back the concessionaire fund money it has already spent on the design if it cancels the project.

[00:31:16] The only required payback is \$395,000, which is the much smaller federal grant that the city also used for project design costs. Thus, the required payback is about one-tenth what the council was led to believe.

[00:31:32] To the two city council members who voted for the trail because of the repayment issue, I say, if your June vote would have been different if you knew then what you know now, you owe it to the community to reconsider before the project moves forward.

[00:31:50] It is time to retake the vote of June 10 and find in favor of a better trail. My second issue is the coming trash carts. Recently, residents in each single family house and each townhouse learned that they will be required to take two rolling trash carts.

[00:32:08] This may please many of these households, but where was the outreach to townhouse communities that were built on small courts that are essentially parking lots and that have no garages,

driveways, or clear curb areas?

[00:32:23] Just as with the lack of public engagement on the George Snyder Trail, there has been no public engagement of these stakeholders on this trash cart program. As far as I can tell, no HOAs were contacted, surveyed, or involved in feedback. For townhouse communities without garages and driveways, there is no place to conveniently store these behemoths.

[00:32:46] Rolling them from enclosed back patios along rear walkways of slate pavers and gravel to the end of the row of houses, then up inclines, stairs, steps, and down curbs to parking lots will be impossible. Even then they will be placed where sanitation workers must hoist them overhead to get them between parked cars without scratching the cars. The city has now decided to offer a 32 gallon size, which does nothing to facilitate using rolling carts in such townhouse communities. The

[00:33:21] city must rethink this program and allow city residents to opt out of receiving these carts. Thank you. Our next speaker, Susan Kyler. Hello, my name is Susan Kyler. Initially, I was going to speak on two topics, but Ellen Pence and Judy Fisher did such a good job that I just like to second the motion, you might say. Other than that, at the July 2nd, 22nd council meeting, I expressed concern that you did not have complete or accurate information when you voted on June 10th to

[00:34:00] approve building the George Steiner Trail. I want to ask again for the council if they were informed before the vote of June 10 of section 9 project cancellation in the 2018 GST agreement between the city and VDOT that was signed by the city manager and the VDOT chief of policy. Section 9 as Shelly noted allows the city or VDOT to cancel the project with 30-day notice and does not require the city to repay already expended funds if the city turns over project plan specifications and right-of-way to VDOT. That's simple. Other state and federally funded projects supplement the VDOT

[00:34:37] standard agreement with another signed agreement or council resolution that states explicitly that the city must repay funds if the city cancels the project. This is not the case with the GST. There is not another agreement or resolution that supersedes the 2018 agreement. Therefore, what is the basis for city staff and VDOT to ignore section 9 of the signed 2018 VDOT standard agreement. Has VDOT provided the city with documents that affirm that the concessionary funds are state funds and not private funds? Fairfax County has stated they are private funds

[00:35:11] and treats them as such in the budget. VDOT should clarify why the county is wrong. If VDOT insists that concessionary funds must be repaid, then what is the basis for that assertion? Why does the agreement have Section 9 if VDOT is going to ignore it? And finally, if the lack of a requirement for a supplementary appendix or locality-approved resolution was an oversight on VDOT's part, then why should the city pay for VDOT's oversight?

[00:35:36] That is, why should the city penalize itself financially for not abiding by the agreement? One more point to consider. If the council is concerned that not repaying \$3.3 million, and that's what it would be in concessionary funds, will hurt our reputation and adversely impact our ability to get grant money for other projects, consider this.

[00:35:55] VDOT does not want to be called out in the media for retributive actions. Thank you. Our last speaker is Katie Johnson.

[00:36:11] When campaigns allow lies to be peddled about upstanding citizens, Citizens that happen to be our neighbors. Their kids are our kids' classmates, teammates, and opponents on their other teams. You

kill a little bit of what makes this city so special. It should be no surprise that we have ended up where we are today.

[00:36:30] What does surprise me is that so many of the good people of our city stay quiet. Behaviors in campaigns carry over to how the city is run. FOIA requests for work records trying to catch a candidate in wrongdoings. Lies tweeted by campaign managers, pushed out by supporters that then target and disparage the candidate for calling out the lies.

[00:36:52] A 26-year council veteran smeared by a total misrepresentation of council vote he made many years ago. A city manager fired just before Christmas, fired behind closed doors in secrecy. The city manager that wanted citizen engagement and projects to be properly vetted using data and analytics.

[00:37:12] and citizens disrespected because we choose to believe all voices should be involved in making our city a better place. The threat of the \$3.7 million payback for the George Snyder Trail was either gross negligence or lies and woeful manipulation taking advantage of a young council.

[00:37:34] I present you tonight the comments of our change.org petition that has 3,288 signatures on it. You can clearly see by these comments, it's a good representation, that these are your neighbors, these are your friends, and these are your constituents. As I was preparing this for tonight, an article was sent to me. Virginia, it stated, Virginia has lost nearly 50,000 acres of tree canopy in just seven years. I ask you tonight, do not commit our city to building this bike road

[00:38:11] through our remaining and irreplaceable woodlands and wetlands. Thank you. We can move to the consent agenda. I move adoption of a consent agenda for agenda item number 6A, consideration of the August 29th, 2025 special meeting minutes.

[00:38:36] Agenda item 6B, consideration of the September 2nd, 2025 special meeting minutes. Agenda item number 6C, consideration of the September 9th, 2025 regular meeting minutes. Agenda item 6D, consideration of the September 12th, 2025 special meeting minutes.

[00:38:55] Agenda item number 6E, consideration of the September 16th, 2025 special meeting minutes. Agenda item number 6F, consideration of the September 22nd, 2025 special meeting minutes. Agenda item number 6G, consideration of a resolution for the reappropriation of general slash operating capital and enterprise funds carry over to fiscal year 2026 that were appropriated in fiscal year 2025 and have not yet been spent as of June 30, 2025. Agenda item number 6-H,

[00:39:29] introduction of an ordinance amending chapter 66, personnel, article 2, retirement plan for general employees, division 7, benefits on termination of employment, section 66-167 and Article 3, Retirement Plan for Public Safety Employees, Division 7, Benefits on Termination of Employment, Section 407, Regarding the Treatment of Accumulated Contributions for Non-Invested Participants.

[00:39:58] Is there a second? Second. A motion has been made by Council Member Hall and seconded by Council Member Peterson. Are there any items Council would like pulled for additional discussion? We're good.

[00:40:13] We're good. Okay. Seeing none. Seeing none. A roll call vote. Council Member McQuillan? Aye. Aye. Councilmember Bates. Aye. Councilmember Peterson. Aye. Councilmember Hall. Aye. Councilmember Amos. Aye. Councilmember Hardy-Chandler. Aye. Motion passed unanimously. We will now go on to appointments to boards, commissions, and advisory committees. The first item is the

consideration of appointments of one Fairfax City Parks Foundation Incorporation initial director. I'm going to recognize Stacey Summerfield, Parks and Recreation Director, to provide the staff report.

[00:40:48] Good evening. I join you tonight because we have our fifth and final foundation director for council nomination. So as you might remember from the bylaws, the directors are a minimum of five, a maximum of 10. When we reach the fifth, the foundation, which will work to leverage private funds to promote recreation in the city, will become an independent organization. And then at that point on, that group of five directors will vote on the addition of new directors.

[00:41:20] So the individual that we have for council consideration tonight is Emilio Alonso. He is out in the audience with us this evening. He is also joined by Selma Witt, Sully Washington, who is also interviewed with PRAB. She would be person number six.

[00:41:37] So our plan tonight is to submit Emilio for council consideration and appointment. And then Sully would go before the now independent five-member foundation board with also the unanimous support of PRAB.

[00:41:54] So both of them were unanimously supported by PRAB after an interview process at last month's meeting. Are there any questions regarding this? All right. Then is there a motion?

[00:42:11] Councilmember Hall. I move to endorse the appointment of Emilio Alonzo as a director for the Fairfax City Parks Foundation for a three-year term as outlined in the attached bylaws. Is there a second? Second. A motion's been made by Council Member Hall and seconded by Council Member Peterson.

[00:42:26] Is there any discussion on the motion? Seeing none, a roll call vote. Council Member McClellan? Aye. Council Member Bates? Aye. Council Member Peterson? Aye. Council Member Hall? Aye. Council Member Amos? Aye. Council Member Hardy-Chandler? Aye.

[00:42:42] Motion passed unanimously. We will go on to the second item, which is consideration of appointments to the city's boards, commissions, and advisory committees. I can give a staff report. Just that basically the city council held a closed session on September 16, 2025, for boards and commission and advisory committee of vacancies.

[00:43:01] And there was discussion held for appointments and reappointments. Okay. Are there any questions on this, the appointments for boards and commissions? Okay. Is there a motion, Councilmember Hall? I move to appoint the following applicants.

[00:43:19] Reappoint Robert Beatty to the Board of Architectural Review for a three-year term ending through September 30th, 2028. Appoint Michael Breslin to the Board of Zoning Appeals for a five-year term extending through September 30th, 2030. Appoint Michelle Nguyen to the Economic Development Authority for a four-year term extending through September 30th, 2029.

[00:43:42] Appoint Derek Fuzzle to the Northern Virginia Community College Board for a four-year term extending through September 30th, 2029. Appoint Tassos McCarthy to the Planning Commission for a remainder of a four-year term extending through December 31st, 2026.

[00:43:59] Reappoint Jamil Ahmed to the Retirement Plan Administrative Committee for a three-year term extending through June 12th, 2028. And appoint Nelson Stewart as the Public Safety Employee Representative for a remainder of a three-year term extending through February 28th, 2028.

[00:44:16] Is there a second? Second a motion has been made by councilmember Hall and seconded by councilmember Peterson. Is there any discussion on the motion? Seeing none a roll call vote councilmember Amos aye councilmember Hall aye councilmember Peterson aye councilmember Bates aye councilmember McClellan aye councilmember Hardy Chandler Aye motion passed unanimously. We will go on to second general public comment Is there anybody in the room that would like to speak on any item tonight? Oh, come on up. Miss Miller

[00:44:52] Good evening. It's nice, it's always nice to visit Chambers. I'm here tonight to offer several remarks about your upcoming work session dealing with the weapons ordinance.

[00:45:14] I was really pleased to support our initial work on the weapons ordinance. But I believe then, as I do now, that we should have included the provision relating to city-sponsored events and surrounding areas.

[00:45:36] At that time in 2021, there wasn't the will to do that, and I certainly hope that this council will take that into consideration and will include that in the ordinance. The one thing that I'm concerned about that I'm hearing is that there is some interest in adding concealed carry to the provision.

[00:45:58] The purpose of the ordinance is to say to people, yes, I respect your right to own a firearm, but please leave it at home. Do not carry it into our public buildings, our parks, and our events.

[00:46:14] So I would hope that you would discard that possibility. The other item that I would like to bring up is that when we passed the ordinance in 2021, it was for parks and public buildings. I'd like to bring to your attention that the City Hall property houses a building.

[00:46:38] The building clearly states that you cannot carry weapons in the building. However, because City Hall property and parking lot is not a park, people can carry weapons on this property.

[00:46:54] So going forward in the future, I would hope that you would work with staff to perhaps declare the City Hall property a park and thereby would be covered by the ordinance. so in closing I would like to say thank you for considering making adjustments to this ordinance and I wish you well in your work session tonight thank you is there anybody else in the room that would like to speak all right then I will now recess the regular meeting to go into a work

[00:47:34] session we'll take a five minute recess to go into the work session room located next door

[00:47:39] Okay, and welcome back to the work session portion of our evening, Ms. Shinneberry.

[00:57:08] One work session item for the night is discussion on an ordinance amending Chapter 54, Offenses and Miscellaneous Provisions, Article 1, General, Section 54-4 of the City of Fairfax, Virginia, pertaining to the prohibition on the possession, carrying, or transportation of firearms, ammunition, or components, or combination thereof.

[00:57:31] in city buildings or facilities on public property or at permitted public events this proposed ordinance would align with the city's existing regulations prohibiting firearms and specified locations to more closely match those in fairfax county by adding a prohibition where the city permitted events are occurring in surrounding areas and increasing the penalty for violations as well as some technical amendments i will now recognize brian lubkomen our city attorney to provide the staff presentation good evening mayor and council and before I start I may have missed it did we ask if councilmember Hardy Chandler can hear us

[00:58:07] or if she could weigh in councilmember Hardy Chandler are you with us yes I am I'm here okay great great good good good job thank thanks for being with us we very much appreciate it all right so on to this important topic and this is the we've we've had discussions about this over the years since 2021 when it was initially enacted and this was brought forward as proposed amendments to essentially bring the city's ordinance in line with surrounding jurisdictions

[00:58:43] and principally Fairfax County this is primarily a presentation by the city police department and hence the much better graphics than I could have had as an opening slide very nice picture up there but the first couple of slides we added just a little bit of a and of course now it's not going to move hold there we go. Summary of the existing ordinance and some other points before we get into the larger presentation. So just by way of background, the existing ordinance, it was enacted in 2021 following a robust discussion. There were a couple of meetings by the city council and former council member Miller noted that there was a good discussion about this as well, as well as public

[00:59:23] input. And the staff report has more detail on some of the discussion points and the issues that were raised during those presentations and discussions. The enabling authority, so as I noted back in 2021 and for the benefit of the viewing public, Virginia is a state that does not allow regulation of firearms unless it's expressly permitted.

[00:59:47] So if it's not expressly permitted, the regulations, municipalities cannot go beyond any enabling authority. So, hence, that's why 15.2915, which was the genesis for many of the local ordinances, most, if not all, whether they enacted all or some of the enabling authority, essentially mirrored the enabling authority.

[01:00:14] Municipalities decided, and I think it was a smart decision, to go ahead and attempt to insert language that parroted the enabling authority. So, it's precise in what it does and does not allow. What the current ordinance does and does not do. And the ordinance itself, the existing, is marked up to show some of the changes that council may decide to proceed with.

[01:00:37] So it prescribes restrictions on the possession, carrying, or transportation of firearms and or ammunition as defined in enumerating locations. And in all of these three that it's prohibited, I've intentionally underlined the word in. And it was noted during public comment, city, well, I'll say in public buildings owned and used by the city or any authority, local government entity, and controlled by the city for governmental purposes.

[01:01:02] The prohibitions extend to the public buildings themselves inside. So as was noted with City Hall, you come to the door of City Hall, there's a sign that says you can't carry inside, and that's the restriction. There are no restrictions on the outside portions of City Hall or of any other public buildings unless those buildings happen to be within public parks or there are other prohibitions against firearms.

[01:01:31] Buildings leased by the city or any municipality. So if there's space that's leased by the city in any building or any authority, local government entity. So, for example, the City Economic Development Office and the Economic Development Authority leased space in buildings down on Eaton.

[01:01:49] Only the portion of the buildings in that case used by the governmental activity can prohibit the firearms. So you can walk into those buildings with, unless the private property owner prohibits firearms, which they are entitled to do, you can walk into those buildings with firearms, but once you get into the space used by the governmental authority, this prohibition in the case of the city would apply.

[01:02:09] So it shows you some of the difficulties in parsing the prohibitions, but, again, we operate under the authority that's been granted by the General Assembly. In public parks, owned or operated by the city or any authority, local government, any controlled by the city. And, again, does not apply outside enumerated boundaries.

[01:02:26] So where parks are clearly delineated, it's easy. We have signs up, no firearms, et cetera, ammunition, but it does not apply outside the boundaries. So, again, I'm not exactly sure. I'd have to ask the parks director or others.

[01:02:42] Some of the parking areas and parks may or may not be within parks. I assume that they are, but that's another potential issue. But it's been in place since 2021, and every jurisdiction that's enacted one of these has the same issues. Ditto with any recreation or community center facility operated by the city or by any authority or local government entity created or controlled by the city.

[01:03:00] And, again, does not apply outside. And, again, fairly straightforward. The current ordinance contains exceptions and exemptions, and if you look at the ordinance, the exemptions are, there are two that are prescribed by the enabling authority, so they must be in any ordinances adopted.

[01:03:18] So in the ordinance, it talks about the activities of the Senior Reserve Officer Training Corps, operated at public-private institution of higher education, and intercollegiate athletics programs operated by public or private institution of higher education, and again, subject to the provisions in here.

[01:03:34] The existing ordinance that was enacted in 2021 contained some other exemptions. These were developed primarily from discussions with other jurisdictions and also in discussions during the public hearings, et cetera, to try to capture circumstances under which it was believed that it might make sense to sort of allow for the carrying of firearms.

[01:03:53] So some of those are military personnel when acting within the scope of their official duties, sworn law enforcement officers and personnel or retired law enforcement officers to the extent exempted by the Law Enforcement Officers Safety Act. Private security personnel, and you'll note in one of the proposed changes, and we'll get to this, is to sort of tighten that language up a little bit on private security personnel.

[01:04:15] Transportation of firearms, ammunition components, or combinations thereof in a vehicle, when they're secured out of sight, the vehicle that is being driven on a public street, road, alley, city parking lot, or public right-of-way that is open for usual transportation purposes. That was to make sure there was no issue, even though there is no prohibition, for example, in City Hall parking lot, somebody brings a firearm, forgets that they have it, they're going to go in the building.

[01:04:36] We want those firearms secured. We don't want them sitting on the front seat for somebody to see, so they need to be secured. And again, in a locked vehicle, that's the part that really captures that. And then the activities of educational programs and events, including static displays and historical reenactments conducted or permitted by the city when they involve the use of display of firearms that are outloaded projectiles and the activities of color guards when engaged in the performance of their duties.

[01:05:00] We didn't want color guards, we didn't want re-enactors to be in violation of a city ordinance, and that's fairly uniform across all of the jurisdictions that have enacted that. The ordinance contains required language, so the state correctly decided that it was not enough to simply prohibit firearms or ammunition, that if you were going to do something like this, you needed to put the public on notice,

because there's so many areas where, as I noted, where there are no prohibitions, and obviously you want folks to be able to understand where they may or may not bring in their firearms.

[01:05:33] So there's required language on posting of restrictions, signage, et cetera. The signage discussion, as I recall, was one of the reasons that this language that's in the proposed ordinance or the ordinance under consideration was not enacted because of the discussion about how many temporary signs would have to go up at events, et cetera.

[01:05:52] I don't know if that was a major or minor consideration. I encourage everybody to go back and watch the public hearing and the discussions at work session back in 2020 and 2021, but that was certainly a consideration. So the language contains the required language. And then the current ordinance prescribes a penalty for violation.

[01:06:09] There was some discussion of that in 2021. The city decided on a Class 4 misdemeanor, which is a fine, up to \$250, no jail time. Some other jurisdictions, and we'll talk about this in the proposed ordinance, go all the way up to a Class 1 misdemeanor, which could have up to a year in prison and larger fine, larger fine.

[01:06:32] Jumped too fast, there we go. So the revisions being considered. An expansion of the language to include a restriction on firearms and ammunition at city-permitted events or an event that would otherwise require a city permit.

[01:06:49] So that's an important distinction. The city permits lots of events through Parks and Rec and otherwise, private events that occur, hundreds, I would say, of events on an annual basis. This would expressly prohibit them, prohibit the carrying of firearms at those events.

[01:07:08] However, an important exception, many of these events take place already within a city park where the prohibition already exists. I'll give you an example of an interesting little dichotomy because we were talking about Fall Festival. So Fall Festival, under the current ordinance, Fall Festival takes place almost completely not within city park property.

[01:07:30] So there would be no prohibition under the existing ordinance. However, there's a small sliver that takes place in Old Town Square. Old Town Square is a city park. There'd be a prohibition there. But you can see why that introduces some interesting dichotomies in terms of what people's expectations might be. Just pointing that out in case that's important.

[01:07:48] We would include language. When we did this originally, I thought we had covered Gateway Regional Park. And looking at this since 2021, it's clear that it wasn't covered. Since that is operated by Nova Parks, so we wanted to clarify that language, The proposed language would include Gateway Regional Park.

[01:08:06] You'll see the language when you look at it. Clarification to exemption regarding private security personnel. We want to ensure that there are lots of private security personnel that have limited qualifications. I'm not belittling private security personnel, but we all know that there's different levels of quality. So if the council were inclined to enact any revisions to the existing ordinance, we would suggest including language that they're licensed by the Virginia Department of Criminal Justice Services.

[01:08:30] I think that provides a little bit of a better protection. Increasing the signage notice requirements, obviously, that would depend on whether the council would decide to increase the areas

where firearms and ammunition would be prohibited. So, obviously, if you expand that to include city-sponsored, city-permitted events, there would need to be additional signage.

[01:08:51] We would have to deal with that. Another possibility is revising the penalty, increasing it from a Class 4 to a Class 1, as I noted. Again, all within the council consideration. Some of the surrounding jurisdictions have Class 1 as the penalty. And nothing in here is proposing any additional exemptions concealed carry the notable one Obviously that would be within the purview of the city council and the chief and his colleagues will be talking about the question There were questions raised by council about that issue notably In terms of what the main reasons I just want to cover a couple of the sort of more general questions that that city council had raised

[01:09:28] The main reasons the original city gun ordinance was adopted I think was because the enabling authority was put out It became available as a tool, and I think a number of jurisdictions decided to enact prohibitions, and I think the city followed suit. And, again, very robust discussion back in 20 and 21.

[01:09:46] I encourage you to go back and watch those discussions. And let's see here. And there's been questions about public education. So one of the things that we had thought about or we're suggesting, we thought about it originally, But if this is to be expanded to city permitted events, certainly there's no requirement to have a delayed effective date, but we would recommend at least a minimal delayed effective date if and when this is enacted or anything is enacted to allow for more public education, for signage, et cetera.

[01:10:18] Not a requirement, just a suggestion. So we can certainly, if it gets to the point where you all reschedule the public hearing and we consider this, happy to consider language to that effect. With that, I'm going to turn the presentation over to the chief and his colleagues, and you can do the introductions, and I'll stay here for any questions that might come up.

[01:10:38] Good evening, mayor, council members, Madam Clerk, Mr. Manager. My name is Raul Pedroso. I'm the chief of police, and here with me tonight to present to you is Captain Jay Tolan, who commands our patrol division, and Captain Natalie Hinesley, who is in charge of our criminal investigations division.

[01:10:54] we come today with responses to many of your questions we also have other information that i feel will provide insight to what you're considering tonight and at the end obviously if there's any questions we're happy to do our best to answer them so one of the things we did is we looked at the last 10 years of incidents involving guns at locations that are either currently prohibited under the ordinance or that are being considered we've had three incidents in that time frame. One was at a city building, the Sherwood Center, where somebody discharged

[01:11:31] a firearm during a private party where they had rented that location. It was an evening event. There were no police work in that event. The gun was discharged. Nobody was hurt. And we never were able to determine who did that. Another incident involved a gentleman at a park after the park hours, after the park was closed. It was evening hours. And he reported that somebody, he was approached by a group of individuals and one pointed a gun at him. The explanation that was given didn't make a lot of sense. We hadn't had any other experience or encounters by anybody of this type of activity. Detectives worked this case. They weren't able to identify or locate

[01:12:07] anybody that would have been involved. And the person that reported the crime was not very cooperative with the investigators. And then the last one was the more recent one that I'm sure we're all familiar with, which is at the Rock the Block event last month, where an individual sees what they believe to be a gun inside of a pocket of a gentleman that's at the event they call the police department we notify our officers that are working the event and fairly quickly identify the individual pull him aside talk with him he's very cooperative he explains that he is a concealed carry permit holder which we verified he was he basically gave up his firearm we did that off-site

[01:12:45] away from from folks at the event and he was issued a summons it is a class 4 summons a class for misdemeanor which I'll talk a little bit more about during the presentation and the gun was taken for safekeeping because he wanted to go back to the event so we took possession of the firearm and he's able to pick it up at the police station afterwards I don't know if he has done that and his case is still waiting to go before the court one of the things that we looked into also was the city permitted events we were not able to find in the last 10 years an incident involving a gun at a city permitted event so that is an

[01:13:23] important item to note and also with respect with respect to response times our average response time is about five minutes to gun incidents citywide over the last three years that's the time period we looked at for that for that question and so it's about a five minute response time if there's a gun incident a gun incident can be many things right it could be a report of somebody seeing a gun it could be a crime involving a gun it could be somebody reporting that they heard shots fired we basically took any incident where the word gun was mentioned and we looked at all those response times and the average was just about five minutes. Incidents at locations that we were talking about

[01:14:01] here, the response times is less. It's in the three-minute range and a lot of the time these incidents we are with events and locations we have officers that are more closely working those locations. Next slide. One of the things that I want to talk about before we talk about our neighbors is one of the questions had to do with what is it that we do you know in response to these these incidents these incidents are on the rise right mass shootings and incidents involving guns going back to about the year 2000 you can see where it's a continual

[01:14:40] increase nationwide not necessarily within this region but nationally we see that and what is the police department done in response to that well there's things that we do and it's not necessarily having to do with this ordinance or the ordinance that was enacted a few years ago it's just It's what we and other law enforcement agencies across the country are doing.

[01:14:58] We have -- we rely on intelligence, so any time there's a type of event or anything that particularly the city is involved in or that we learn of, we begin to assign personnel to that and we work with our regional center that basically is collecting and scouring the internet for anything that might indicate any kind of attention that's being given to a particular event that's negative in nature.

[01:15:22] we work through reaching out to organizers to learn about the history. We talk to other agencies that have may have may have hosted this particular type of event where there were incidents or problems. So intelligence is a big component for us. We also staff events. We staff events a lot more than we used to because of what we see across the country, across the nation. So it's important for us in our city here to make sure that we have proper police personnel and staffing available so if something was to present that we were We're capable to respond timely, and we're not having to come from a distance.

[01:15:55] It also provides as a deterrence for anybody that's at that event, and it helps people feel safe, right? You see the police, you feel safe. You know, your officers are there taking care of you, looking out for you. We also use technology and equipment. The technology that we use now and that we deploy, whether it's public safety cameras, whether it's license plate readers, all of that is working in conjunction with the officers that are working these events, making sure that we have all the information to be able to keep people safe as best as possible.

[01:16:23] When we look at our neighboring jurisdictions, basically everyone else around us, when they enacted this ordinance, they did include city permitted events, and they did make the penalty a Class 1 misdemeanor. That Class 1 misdemeanor, it does carry a higher penalty.

[01:16:42] It's up to \$2,500 fine, and it's up to one year in jail. The Class 4, which is the penalty that we have in our ordinance now as it's written, is up to a \$250 fine, no jail time. But I will say, and I was gonna mention this later, but I'll say it now, it doesn't change how we approach the situation.

[01:17:00] So for a police officer, our ability to investigate, to reasonably detain a person while we conduct our investigation, if we believe that they are armed in violation of the ordinance or any other law, it doesn't change because of the degree of the penalty that's associated with it. So for us, we're gonna have the ability to engage that person regardless.

[01:17:17] As to whether that would deter an individual, Obviously, the greater the penalty, it correlates with the greater degree to which somebody pays attention to it. However, things to consider, obviously, are, and I'm going to hold off on that because I've got another slide later on that we'll talk a little bit more in depth about the law itself and the penalties, and we'll talk about the difference.

[01:17:38] With respect to our neighboring jurisdictions, they've all got the ordinance, including the language that you're considering going forward. There has been no incidents of arrest or violations of this ordinance reported by any of the surrounding jurisdictions except for the city of Alexandria.

[01:17:58] Alexandria has had four incidents at parks. So not at city permitted events and not at government buildings, but they've had four incidents at parks where there's been an arrest made. Three of those four were accompanied by much greater crimes, involved felonies.

[01:18:16] They included that code violation as one of the charges, but they were noprosecuted eventually as the case made its way through the court process. And so only one of the four actually made its way, and the person was found guilty of violating the ordinance. But all four involved city parks where they occurred, and they involved other things that were happening, other crimes that the people were involved with.

[01:18:38] And it just so happened that they happened to be in a park at the time that they committed these crimes. And when they did these crimes, there were not other people unrelated to the individuals there. There was an incident where the man was with his child, so that involved somebody else.

[01:18:56] But other than that, the other incidents with individuals by themselves at the park when they committed the crime. With respect to considering, you know, modifying the language, the one thing that we would point out, right, is that if we were to mirror the language that's in place with the surrounding jurisdictions, then there's consistency across all the different cities and the county.

[01:19:23] And so for the public, there's less confusion. You can make that connection, right, because the language is consistent. Is it necessary? That's obviously a decision to make. But there are other ordinances that we differ in our language, right?

[01:19:38] Noise ordinances, as far as loud noise. Our restrictions are different than other governing bodies around us. How we address, there was the other crime that I can't remember now that we had talked about.

[01:19:55] Oh yes open container I apologize open container laws also vary in Arlington you can open carry in certain places in other jurisdictions you cannot open carry at all so there are other local laws that differ in language thanks sir so this is an important page here the law and penalties concealed carry law right now a person cannot carry concealed unless they have a permit at any city permitted event or in any other place it's not allowed you have to have a

[01:20:34] a concealed carry permit to be able to bring that firearm hidden concealed from public view to any of our events so that is a class 1 misdemeanor to carry a concealed firearm or a weapon without a permit so really what then we go to the next step which is concealed carry permits and there was interest in knowing what's involved in that so basically again carrying concealed weapons are prohibited by law if you want to have a permit you have to be 21 years old you have to demonstrate competence which is done through an approved training course or program, or if you're a member of the military, you're excused from having to participate in that training.

[01:21:14] And also you have to pass a criminal history check. The permits are granted then for a five-year period. They can be revoked. It's important to note that there's over 700,000 active permits in the state of Virginia presently and over 3,000 in the city of Fairfax. That means there's over 3,000 people that have a Fairfax city address that have a concealed carry permit presently.

[01:21:35] And the state, most recently, the numbers are that they've revoked about 7,000 permits in the past year. So there is a process if you commit a crime, if you're involved in behavior that's not acceptable to the state, there is a process. Police departments submit to the state whenever we interact with somebody, such as an arrest, that we want to make sure that we've identified they have a concealed carry permit, and we want to make them aware that this incident happened.

[01:22:03] The state then has a process to go about revoking that permit. Open carry of firearms. Virginia is an open carry state. So if you meet the restrictions that are carved out in the law, and if it's a gun that's approved to be carried, you can carry openly in the state of Virginia.

[01:22:21] And that would include, you know, walking down a public street. And so concealed carry permits allow you to carry a firearm or a handgun concealed from public view. open carry. You don't need a permit for that. As long as you're the right age and you're carrying a firearm that meets the requirements of the law, you can carry openly. And then, like I mentioned, the penalties are different. A \$2,500 fine and went up to one year in jail for a class one misdemeanor, up to a \$250 fine for a class four misdemeanor, which is what we have in our

[01:22:57] ordinance right now. I'm going to hand it over now to Captain Heinze, who's going to tell you little bit about the research that we did and looking at research studies and other things done by the FBI and other groups that can help us maybe try to understand a little bit of what's what's been happening out nationwide.

[01:23:18] Thank you. We received several different studies of areas of interest that we looked at. Some of the and I'll go through at a high level the four of them that we were looking at but what we saw initially in some of the difficulties in either assigning one study or all study to this discussion or the decision-making is kind of how different they are each of them uses you know not the same definition for active shooter incidents they're all defined uniquely which obviously relates to whatever data and statistics they

[01:23:52] pull which obviously could impact you know the the similarity of those statistics their conclusions are all slightly different some being inconclusive or saying that more research is needed to, you know, properly come to a conclusion. And then also, for that reason, what we tried to do in this presentation is really focus on the city of Fairfax operational realities and our statistics so that we can make sort of, you know, decisions and discussions around what we deal with here around our gun stats and our response to calls for service that we've dealt with in the city.

[01:24:29] Just touching on the definitions, the FBI defines an active shooter as someone attempting to kill people in a confined populated area. The LOT study defines active shooting in terms of anything from a single shooting at a lone subject to a mass shooting. The Lancet study defines active shooter as any person intentionally, any person who intentionally shoots a bystander in a public place. So you can kind of see how these are all, some are plural, some are lone to mass shooting.

[01:24:58] So it really varies, which matters, I think, in the conclusion and the results of the studies. For the FBI study, we looked at one that was presented from 2000 to 2013, and some of the questions were how concealed weapons permit holders related to active shooter incidents, how they may have interacted, or how civilians may stop an active shooter prior to law enforcement.

[01:25:22] The FBI study from 2000 to 2013, they reported 160 active shooter incidents. The large conclusion of those were resolved by police. The second conclusion was suicide, and then the bottom was citizen.

[01:25:40] I pulled the 2024 one, which was published in June. Very similar kind of hierarchy there. There was 24 active shooter incidents as defined by the FBI. Most of those were resolved by self-inflicted suicide and then police, and then lastly, there was zero resolved by citizens.

[01:25:59] In the LOTS study, theirs is almost, it's, I don't want to say opposite of the FBI, but it's much different. They go into kind of explaining how the FBI's statistics may be flawed just based on the crime reporting data from agencies that they're pulling the results from.

[01:26:17] So they reported 515 active shooter incidents from 2014 to 2023. So obviously that's a much bigger number than the FBI report. That can't really account for the difference there, other than possibly the differing definition and how they define active shooter or how they pull the information together.

[01:26:41] They reported that 166 of them were stopped by a civilian, so that clearly greatly contrasts with the FBI reports. So this just shows an example of how wide-reaching the studies can be and how difficult it can kind of be to apply them to the decision-making and whatever you're looking to gather from the studies with the local decision.

[01:27:03] A RAND study, which was another study that we pulled, in short, it really came to an inconclusive result as far as whether there's a direct effect on gun laws and crime. So really the entire study just leans on that the data was inconclusive to define a direct correlation, as well as the Lancet study,

which in one portion ended with saying that more research is needed to clearly address this issue with gun crime as it relates to gun-free zones.

[01:27:33] So that's at a high level. Obviously, what we polled, there was a lot to go through. I think if there's any questions, obviously, there's a lot to piece through with the research side of it, and happy to take those at the end or just have open discussion on it.

[01:27:50] Thank you, Captain. So as we move on to the next slide and we talk about considerations, I want to point out just a couple of events that have happened in more recent years that we're probably familiar with. The Kansas City Chiefs Super Bowl Parade, back in February 2024, there was an individual that started shooting at that parade.

[01:28:10] It resulted in one death and 21 people injured. In that case, if you recall, there were people from the public that were actually intervening and chasing after the individual that they saw with the gun. Officers also responded, and really collaboratively, the person was taken into custody, and that was remedied there.

[01:28:31] at the parade itself, but it was a lot of people in attendance. And that's one of the things we'll point out is the difference between signage and screening, and it's important to take everything into consideration as we move forward. So we have a real expectation and understanding of what any change in the language would accomplish.

[01:28:54] Independence Day Parade, this is at Highland Park, Illinois. This was an individual that was on a rooftop and making his way across several rooftops over a main street-type atmosphere for a Fourth of July parade there. This was back in July of 2022, and that individual killed seven people and injured 48 others.

[01:29:14] He was not apprehended until eight days later, and there was a lot of police work in that event, but the individual was not caught. It was learned later that he actually changed his whole appearance and look and was able to escape that day and avoid apprehension, but he was eventually arrested and prosecuted.

[01:29:34] So other considerations that I think are important to talk about is, again, the state code already prohibits concealed carry. So this isn't about people that are not permitted carrying concealed, because there's already a law in place to prohibit that. This is, what you're considering is more about prohibiting, one, concealed carry permit holders from being able to bring their gun to a city-permitted event.

[01:29:59] We already do prohibit it at government buildings, at city parks, and also the prohibition of open carry, right? So not having people be able to just carry openly a firearm at one of our city permitter events. What would be involved is the signage.

[01:30:17] The law is clear on that. The case that went before the courts, Lefebvre versus County of Fairfax, the trial court, state court, upheld the law, the ordinance. And they put a lot of emphasis in that case as to the importance of signage.

[01:30:33] And they emphasize that there needs to be clear signage directing folks that there are no guns allowed. At any reasonable place that people would be making entry into that festival, parades, event, whatever it is, the signage is critical if you're going to enforce it.

[01:30:48] And the other thing is there's a very big difference between signage and then screening, right? And so that's another big consideration. Was questions asked of us as far as what would be the impact on police resources if it's just signage there's really no difference we're going to approach an event the same whether it's no guns allowed or if it's the existing language the police department plans and prepares as if we are going to make sure we do everything we can and can prepare for to keep people safe and make sure it's a safe event for everybody and so really the the issue as far as staffing and resources is more on

[01:31:24] the level to which the city says hey we want to you know fence an area we want to keep people out we want to screen people like we do when they come into the city courthouse that that's a difference in what would be the police department's response to something like that next slide thank you sir uh viewpoints so prohibiting firearms at city permanent events can increase public safety by you know you reduce the risk of gun violence where a person who is lawfully armed responds impulsively to a situation, right? If somebody's got a gun and they're involved in some type of

[01:31:59] emotional situation or they're confronted with somebody, there exists that possibility that they can draw that gun. We see this. This happens, right? People that would probably not have pulled that gun out if they just had it at home or in their car, but because they had it on them, the situation presents, they respond emotionally in some type of rage, and they use the gun. And then now this person who otherwise would not have gone out to commit a crime and probably didn't leave their house looking to commit a crime finds themselves facing the rest of their life or worse in prison another increase of public safety would be the reducing

[01:32:38] unintended consequences this is where a situation where otherwise law-abiding citizen presents their firearm because they're lawfully carrying it and they feel that they are doing the right thing but whether it's a lack of training or a lack of preparation or just a lack of clear understanding of what's happening in front of them, they use that gun, and the wrong person becomes the victim of that situation.

[01:33:04] And that happens also, right? So these are things to think about. That can also be a way, if you're going to prohibit the guns at an event, less guns means less likelihood of something like that happening. The other thing is confusion for police. You see sometimes situations present where there's bad guys with guns, and then there's good guys with guns, and they're all in the same place.

[01:33:24] If you look at Broward County, they had that shooting at the airport in the baggage claim area. And there were officers responding in plainclothes with guns, obviously, to respond to this active shooter situation.

[01:33:42] But to the people that were watching what was happening, it was just mass confusion. They didn't know. In this case, it was police. But people were calling in about guns here, guns there. Officers didn't know who was who. Officers didn't recognize the officers that had the guns. And that's trained police, fortunately, right? So they're thinking through these things, and nobody was hurt.

[01:34:00] But the same thing happens when you see incidents where members of the public are drawing their guns. They're running through a shopping mall where there's been an active shooter, and they have a gun in their hand. We do not know when we're responding who's good and who's bad. So we've got to deal with everything that we're getting, the information about who's got a gun, where is that gun.

[01:34:18] When we're confronting people, it's very quick decisions to basically determine whether or not this person is the threat or not. And so obviously that can create confusion for the officers. And I think the

last point to consider is reducing fear and anxiety that could be felt by citizens, especially in the case of open carrying.

[01:34:37] You're at a city-permitted event, you're at whatever parade, whatever the issue is, and people can lawfully carry guns out in the open. And that obviously we can infer that would create some type of worry on the part of people that are there to enjoy the event.

[01:34:55] The other side to this, allowing lawfully permitted gun carriers to have their guns with them. We're not everywhere all the time. So there is that possibility, and it does happen, where a citizen that is properly permitted can intervene in a situation of violence before an officer can get there to do it.

[01:35:14] So that does happen. It doesn't happen that frequently, but it does happen, and they've made a difference, right? So that is something to consider on the other side of it. That's what we have for you today from the police department. I hope we've answered most of your questions, and if you have any questions, we're happy to give it a shot and see what we can tell you.

[01:35:37] Okay, thank you so much for the presentation. Do we have questions from the council? Council Member Bates. Thank you. For you to start off with, first off, with regard to including the City Hall grounds and the ordinance, My guess is that that is not something that we would address with this ordinance, but rather with in terms of the city designating the grounds as a park.

[01:36:11] Would that be accurate? So as I noted at the beginning, the enabling authority only gives so many avenues for establishing prohibitions. So the only way would be to designate the city hall grounds as a park.

[01:36:29] Yeah. There's no other circumstance that I can envision under existing enabling authority where you would be able to do it. But that's not something that we would address as part of this ordinance revision. No, because there's also going to be considerations on what it means to establish a park and what ramifications that might have.

[01:36:49] Secondly, you mentioned, and this hadn't occurred to me, but the EDA office in Willowood Plaza, I wasn't aware that that could be affected by this. So I know we don't own that, that's leased, as you mentioned.

[01:37:06] Is there, and feel free to, you know, I know you may not have looked into this yet, but is there a possibility that the ordinance could potentially also include the hallways and staircases that are used by city employees to access that office, or is that?

[01:37:26] So I suspect those are common areas of the building, so the answer is probably no. What I don't know, and I used it as an example without knowing, so I apologize, I do not know if the owner of that building prohibits firearms generally. Right, yeah. That would solve that problem, but that's certainly in the discretion of the building owner.

[01:37:46] But otherwise, it extends to the door of the EDO, the door of the EDA meeting room when it's being used, because remember, it's when it's being used for a governmental purpose, right? So there's a, without getting too much into the weeds, but I'll get into it a little bit, the conference room that's used for EDA meetings is not always used for EDA meetings. It's used for other purposes as well. When it's not being used for governmental purpose, there's no prohibition. So you see the difficulties with sort of dancing on the head of a pin with what the enabling authority allows municipalities to do. Yeah. I guess it's

probably somewhat of a moot point anyway, since if someone is on their way to or from the office, then they, you know,

[01:38:25] Couldn't have it in the office, right, if that was included. Right, and I think the chief's point was well taken. I think most people determined to do harm aren't going to notice the difference between the areas they're passing through. It just becomes a question of what the signage generally puts them on alert for.

[01:38:43] And whether that makes a difference, again, that's the chief's purview. Yeah, and just out of curiosity, do you have the median response time by any chance for gun violations or just the average?

[01:38:58] just the average yeah we just have we could work on getting the median time for you we don't have it available tonight okay it's i'd just be you know curious but um that's all i have for now thanks other questions council member peters well thank you that was educational and we appreciate all your hard work um one clarification from somebody that i think i understand but let me

[01:39:31] double check is just i saw language originally this gets to the coverage of areas for the new expanded ordinance i saw language which was about public property and i'm just wondering if you could pin that down a little bit more in terms of what public property means in the city of fairfax because in the extreme it could include all kinds of things but i suspect the language here is actually referring much more narrowly to something else. Can you help with that?

[01:40:09] Yes. So it's obviously the easy one is public property in the context of a governmental building, a public building. The prohibition extends to that currently under the existing ordinance. Public property in the context of recreation or community centers is clear.

[01:40:27] Those are specifically delineated. Parks, it's the park boundaries as delineated in this case by the city. And you may or may not be aware, much of the open space of the city is not within delimited park boundaries. And that's another discussion I think that we've talked about over the years is we do have a lot of open space that's not within the boundaries of parks. So currently under the ordinance, there's no prohibition on that. The new language, if enacted to include public events, et cetera, would provide additional protection in certain areas, but not a blanket

[01:41:06] prohibition. Because again, it needs to be a city permitted event or an event that requires a permit from the city or a city sponsored event. And it's only while that event is occurring. And then in the immediately surrounding streets and public rights away. So again, the message that I keep reinforcing is these prohibitions are limited. They're, in some cases, geographically difficult, not difficult to determine, but difficult for the average person to understand where the prohibitions are, hence the signage and notice requirements. But there is no ability to have a

[01:41:42] blanket prohibition on public spaces generally, or even certain public spaces, unless they fall within these limited categories that are permitted by the General Assembly. So open space, let's take the George Snyder Trail and that whole area back there.

[01:41:57] Is it the case that unless there were an event occurring in that area that that would not be covered? So, and again, I may show a little bit of my ignorance. My assumption is that portions of the George Snyder Trail would meander in and out of park areas in certain areas.

[01:42:15] I may be incorrect about that, but they may go through some parks. They may not. When it's in a park, it could be prohibited if there's signage. So you'd have to sign the areas of the George Snyder Trail. But I do not believe the George Snyder Trail and other areas, many other areas of the city, are within park boundaries.

[01:42:32] So there would currently be no prohibition. Even though that may be city property, it's not? Correct. There's a difference between, correct. There's, as I said, there's a difference between, in many cases, between city open space and city parks. So a number of jurisdictions around the Commonwealth and elsewhere, I think they have ordinances that they otherwise provide that open space, by definition, if it's not otherwise allocated, is considered to be parkland.

[01:42:58] The city does not have that. So we have open space that's not within a specific park boundary, if that makes sense. Sure. Well, thanks. And it almost sounds like a map could be handy here. Try to get a map. I'm sorry, could you say? A map. Yes, it would be an interesting map, but yes.

[01:43:15] But we have a map of the park. so for example you would see where the where the where the parks are right but it might help citizens you're trying to figure out you know when they're going from point A to point B what does that involve in terms of crossing areas that may or may oh yes but remember the the big corollary to all of this and this is where it gets a little I don't want to say silly but difficult is if you're going in and out of park boundaries you have to sign the areas where you're going in and out right so you know there's not not to be livid it's not like saying you know now leaving you know the park or now entering the park you need to post

[01:43:50] firearms prohibitions for it to be effective on response time did you have a well we're just going to add and that's not necessarily to that specific point but somewhat related is it also includes the language to the adjacent areas right so some of the sidewalks and different areas alleys but the other thing too is we talk a lot about our response and preparation for special for city permanent events, but I think it also is important to note that we do not staff every city permanent event.

[01:44:19] Like was mentioned at the beginning, there's hundreds and hundreds of city permanent events throughout the year. We staff the major events, obviously, and the ones that we expect are going to be attended or that we learn of anything of concern, but we do not staff every city permanent event. And if I add one other thing, the other consideration, remember, is even in the public buildings, we do not.

[01:44:40] So, for example, the City Hall building, there are magnetometers when court days and court is in session. Regular visitors to City Hall are not run through any screening. There's no magnetometers, et cetera. So if there was a will of counsel to explore those type of security issues, that would obviously delve into a budgetary concern.

[01:45:01] A follow-up on response time. The five-minute average, is that from the beginning of an incident to the arrival on scene, and that's the entire span, or is that just from dispatch?

[01:45:19] That's from the moment that our call taker picks up the telephone and asks the location of that emergency to when the first officer arrives. Right. And do you know what the period of time is on average or otherwise from the beginning of an incident to the receipt of that call from 911?

[01:45:36] No, we don't have that information. That's dependent on when the person makes the phone call. It also, our 911 calls are, if it's a 911 call, it gets routed through Fairfax County to us, and we don't have

a way of accounting for that time. So all we can measure is the moment that phone rings in our center and we pick up that call.

[01:45:56] So the moment we answer that call, that's when the clock starts, so when the officer arrives. Well, and the reason I ask, I mean, time is life, and I did come across one or more studies that had looked at the combination. of those two periods of time from the initiation of the incident to the receipt by 9-1-1 and then from dispatch to or from receipt of the call to actually officers on the scene and i don't have the study in front of me but as i recollect the first period of time was longer and typically significant longer than the second period of time so we're talking about a significant window and i think it gets back to the question mark that maybe would be great to hear more about at some point

[01:46:33] which is what has been done and what could be done to shrink the total response time down to the absolute minimum because my understanding is that is one of the biggest issues in terms of once things start, stopping them is the amount of time that is involved in putting whatever sort of response is in position.

[01:46:53] So I'd kind of love to know what the possibilities are here of getting maybe a slightly better handle on how much time we're dealing with on the front end of it and whether there are interventions that could be undertaken to address that, and then overall what we could do to kind of squeeze the response times down. I say that also recognizing, I think, not all response times are created equal because something that takes place in a more distant location without staff present, for instance, could entail a longer response time than something that's an event in the city.

[01:47:23] So I think it just would be a little bit helpful to get a better idea for what's going on with all that. We can talk a little bit about it. We looked into it based on the question. And I apologize for not including in the presentation, but the one thing that we do is, so the moment that that call is picked up, first of all, if it's a 911 call, that's the priority.

[01:47:39] So that phone call is going to be picked up. And as soon as that call taker starts to identify that there's an issue or an emergency, a problem, that we need officers there in the immediate, that call is already routed. So even it's in the first few seconds of that call, conversation happening with that operator and that person calling for help, officers are already getting the information.

[01:47:59] And then as that operator is entering and updating the information in that CAD report, that computer-aided dispatch report, those officers are seeing those updates. They're hearing them audibly, but if that call taker is not in a position because of maybe we're getting multiple calls to update audibly, everything that they're typing in as they're getting the information is being routed to those officers by way of their mobile computer devices.

[01:48:20] And so they're seeing that information too, and they're making their way to that priority. And so there's no back, years back, the practice was get all the information, then start the officers. And that's not how we operate anymore, and that's not how we do business here. That call is routed as soon as we identify and address, and we can start officers in that direction.

[01:48:41] And so that really limits that, you know, any possible delay once we get that call. Okay, and it sounds like, based on what you said earlier, there's been some advancements in technology and management, both in terms of early detection for various types even before an event occurs and then during with remote sensing and all that.

[01:49:01] Yeah, so there's other things that we do, too. If we have a history at our location, we can enter what's called a premise alert, and that's an alert for that operator and for those officers that are responding that there's a history at this call location, that maybe there's a situation where someone's been armed before or there's been violence at that location before.

[01:49:16] The other thing, right now, we're piloting our real-time crime center. It's a very small pilot, But what we do there is we have detectives that when they hear a particular call going out where there's a benefit to knowing more information about that location, they're researching and querying that information, and they're audibly advising officers and entering that information into that cat report.

[01:49:37] So officers are getting more information that can help them be more informed and be prepared mentally to know what potentially they're going to be facing, who's the bad guy versus the good guy if it's a situation where there's been problems between two people. So that real-time crime center pilot also is giving our officers more information so they can act more timely.

[01:49:56] I have only one other question right now, but I would possibly like to circle back, and that is the question, Mark, about how much we were able to learn about the experience in Fairfax County before and after and what that looks like and how that possibly relates to a future circumstance here where we would do something different.

[01:50:19] Yeah, I mean, I could speak to that, too. We spoke to all the different agencies around us. And the one thing that I learned in my takeaway and also from my experience in Alexandria, which was also a question that was asked, is that, you know, these events and policing these events and restricting firearms at these events, it's very specific to that location.

[01:50:41] And these are not locations where typically we experience gun crime, right? Alexandria obviously had the incidents where they arrested people. But those were cases at city parks. And in some of those cases, when you read through them, it's almost like those people probably didn't even know they were in a city park, whether it was after hours, whether they were dealing with other things and other issues and problems.

[01:50:59] They weren't looking at that sign. They weren't worried about what the ordinance was. These were just people that were intent on committing crime. And so a signage wasn't going to fix that. That's the bottom line in those situations. So when you look at crime overall, pre- and post-ordinances going into effect, there's not necessarily a correlation.

[01:51:17] There's not data or studies by any of the agencies that can say, hey, when we enacted this ordinance, we saw a reduction in crime or there's been an increase in crime for whatever reason gun crime in Alexandria specifically it peaked in the summer of 2023 and since then it's been on a steady decline double-digit percentages since then and the decline which was one of the questions was a result of different approach in strategy and operational planning in how we have the investigations were done emphasis on investigations and following up so So you're arresting those criminals so they know that this police department is going after you.

[01:51:55] They're going to find you. They're going to arrest you. You disrupt that environment. You make it uncomfortable for criminals to continue to operate and behave that way. So that was the approach that was taken there. And so you saw crime going up while that ordinance was already in place, and now you've seen gun crime going down, and that ordinance hasn't changed, right?

[01:52:15] So it doesn't, one really has nothing to do with the other in that particular case. And speaking with our surrounding neighbor of Fairfax County, it's a similar explanation as to the relationship. There's not one that's been identified.

[01:52:32] And it's really helpful. Just so I and we understand, if I hear you correctly, you say there is no or it's difficult to make an association with a before and after transit, et cetera.

[01:52:50] If I hear you correctly, it's not because we don't have data that we can look at. It's that the data is not telling us a clear answer on why things are shifting one way or the other. And I ask because part of the question here is how good is our information base in terms of tracking things and being able to analyze them and stay on top of them?

[01:53:12] And if you could just respond to that so that we have that context. If I'm understanding your question correctly, the incidents, you know, the data starts with you only know what you know, right? So if you look at situations, we don't know how many people, for example, have carried concealed firearms at any prior events that we've hosted in the city.

[01:53:33] We don't know people that have been intent on committing a crime but chose not to maybe because they didn't have their gun at the time. We can't account for any of that. What we do know is we know when we looked at the last 10 years, we looked at the locations that are where we prohibit the firearms now, which is our government buildings and our city parks.

[01:53:53] We also looked at events that were city permitted, and all we had in our city was those three incidents. And one of those three, we questioned if it even happened, which was the one where someone says they were approached by a group of males at the park and was then not cooperative.

[01:54:09] So when you look at the last 10 years, that's the data, right? that's what's been reported to us and that we've responded to and investigated and and and so there's been other gun crime there's other things gun crimes that are reported or people feel like they hear shots fired and so but those aren't happening at the locations that you're looking at with respect to the ordinance thank you that that was a critical last point because that really separates out a whole nother arena of locations that otherwise would be relevant thank you

[01:54:40] other questions a council member amos yeah i just had a quick question regarding how temporary signage would work and i don't know i maybe director harden i don't know if i direct that towards you well planning director hard not economic development director harden um so regarding temporary signage what do other jurisdictions typically do for trying to regulate that with events that aren't hosted by the city but our city permitted events i mean do we is that something that's built into the permitting process is that something that we're required to provide I would just like some clarification on that

[01:55:19] temporary signage or permanent signage that is erected by a city official for the purpose of official city business would be exempt from the permitting process so there's flexibility there anything to add I was just there's obviously there's the so for events there's the cost of the signs and then having to put them out remove them put them out remove them unless you you know I wasn't for temperate for timber events that we would not envision them to be permanent signage because depending on what the event boundaries are and so

[01:55:58] forth if in fact cats what council wants to do it's no different than us putting up signs for street closures for parades or anything like there you know there there is would be there would be some amount of that we couldn't quantify that for you this evening but there would be costs for signage and then the cost to put out and remove for specific events thank you I appreciate that and you know if we do move forward and have council do it I think that it's our fault let's have us do I think that'd be some fun some fun posts right

[01:56:32] there so mayor if I could add to the other issue and the chief noted this is So taking an event like Fall Festival, you would need to post signage at all entrances to the festival.

[01:56:50] And we all know that there's multiple places to enter the festival. So I think what some other jurisdictions have done, and we've seen this in other jurisdictions, is all of a sudden you start seeing barriers go up around events. And you sort of funnel everybody into one or two or three or four entrances. I'm not saying that's where we would end up here, but there would be logistical and legal issues with where the signage would need to be if basically there are multiple points of entry to an event, exit to an event.

[01:57:15] I'm not saying that to discourage anybody from doing this. It's just one of the examples of the practical considerations that you have to consider when you're talking about doing this. Thank you. Councilmember Hall? I want to thank you for all the time that went into this. For those that are not aware, between council members that submitted questions, there were 56 of them.

[01:57:35] So this was not an easy discussion, decision, or any of those things at this point. And I think, you know, we're trying to get as much information to be able to share as much. So thank you for taking the time, all of you, to answer this, to do your research, to look at these studies and all the other information.

[01:57:51] It's very much appreciated. I do have a number of questions, and it's kind of to piggyback on some of the signage things. So it was mentioned that, you know, if you're entering or exiting the George Schneider Trail, let's say, or you're entering or exiting a park somewhere, are there guidelines that the state puts forth that says every 50 feet, every 100 feet, you know, because there's not really an entrance into the woods, right? Like, how are those things handled? So I'll start. So the point of the signage is to put a reasonable person on notice that they will be in violation of something

[01:58:29] if they enter a space. So I wouldn't say that there are guidelines. I think it's a little bit common sense and I think different localities do different things so that's the short answer to your question I think we would always attempt to ensure that individuals are put on proper notice that they could be in violation of the law so again we have not scoped any any properties at this point we haven't scoped you know I keep talking about fall festival that's an easy one to look at there are other events depending on where they are the logistics could be different. But I'm cautioning again that there could be other things that need to be done in

[01:59:08] addition to the signage to make the notice effective, if that makes sense. And I talked about the barriers, et cetera. It may not be a big deal, but it's something that we'd have to consider, which is another reason that we're not strongly suggesting, but if there's a desire to move forward, that we perhaps have a little bit of a delayed effective date to allow us to scope and examine what needs to happen. Okay. And we don't have, because we don't know where or how many signs we're going to need. I mean, I know we print signs internally, but we don't have any idea of what the cost of that signage might look like as an up-one-

time upfront cost. No, and I'll note, I mean, you know, you have the city permitted events, and then you have the events that might require a permit from the city, all the private events. And as I noted,

[01:59:48] I would assume the vast majority of those events take place within the boundaries of city parks or in rec centers, et cetera. There's already a prohibition on those. There's already signage on those. So we're talking about the special events. We're talking about the sidewalks, you know, that's another issue, the sidewalks and roads adjacent.

[02:00:04] It's not just the boundaries of events. If you want sort of a little bit of a barrier between the event and where people come in, those are the things we would have to look and examine at. Okay. And like, for example, like with that EDA example that you gave, would there then need to be a sign outside the EDA office that says that, or is it an assumption that because government businesses done in that location like if they have a temporary meeting in the conference room would they need to put a sign out or is that known as a government location during that time well so the the example i'll give a city hall you know it's easy it's a public building is prohibited

[02:00:44] you still have to have signage outside the building right um that building most people would assume it's a privately owned building there's other tenants etc um and actually i do not know if the EDO has a sign outside their entrance that says firearms not permitted here and I go back to what I said also we also don't know if the private owner of that building doesn't already prohibit fire many many private building owners already prohibit firearms within their buildings that may take care of the issue right there so okay best answer best answer I can give you okay but the other answer then is if let's say that building is not we

[02:01:21] would need to have a sign outside the EDA or EDO office that says firearms not allowed correct there's not an assumption just because it's a you know because you could be renting an office in a building if there's no signage no one would be on notice uh the prohibition might might exist i would assume that the uh in fact i would argue that any citation given under that would probably be be dismissed okay and then if a meeting were to occur in that meeting space then a sign would need to be put out temporarily while that is being used that is correct again unless the building itself prohibits firearms.

[02:01:53] Okay. And I know schools are handed a little bit differently. Completely different. There's a whole section of the state code, but firearms prohibitions in schools are well taken care of separately. This has nothing to do with schools. Okay. And is that a class one misdemeanor there? Oh, I knew you were going to ask me that. Sorry.

[02:02:11] Or is it worse? I just wasn't sure. Yes. So Kevin Tolan is letting me know it is a warrantless arrest. So we have the ability to make that arrest. If you have a weapon on school property, that means that we don't have to witness it. that if we learn of it and we identify it, we can make that a rest.

[02:02:27] Okay, thank you. And I am just curious, kind of unrelated, but just curious since you're here, what were the response times roughly in Alexandria and Coral Gables where you worked previously? I mean, is five minutes? I know we're 6.2 square miles, you know, Alexandria's bigger and all that, but I'm just curious how that compares.

[02:02:45] Well, I can tell you five minutes for an average response time. And again, the one thing that would give us more clarity is response times if it's like a priority one emergency call like let's say we have somebody that's shot for example is different than somebody reports hearing shots fired and so we don't

have that differentiation for you at this moment we can we can find that but five minutes on average is very good it is you if you look at national response times you're gonna be at a leader in that in that front that's great I think we probably take that for granted then when we hear five minutes which I'm sure can feel like an eternity when you're in the middle of a situation, but to know that that's great.

[02:03:25] And it's five minutes response. It's from the picking up the phone to the officer getting there. A lot of times, people focus, I think, Councilman Peterson, you were talking about, which is what we call travel time, which is from the officer getting dispatched to when they get there. But for that person, it starts when they make that phone call.

[02:03:41] That's the moment that they're waiting and expecting us to be there. So as a response time, it's five minutes is exceptional. That's great. Thank you. That doesn't mean we don't strive for better. I will say that. Of course. it since I've been here. The response time is something that we talk about and we look at ways to be properly staffed and out on the road and you know so we're we're going to always be looking at improving that time but it's it's a good place to start from at the moment for sure. Okay and I will say it's not something I've ever heard anyone in my entire however I've lived here 14 plus years I've never heard anyone say the police are so slow you know that that has never come out I mean everyone raves about the response time and the the quickness and all of those things that

[02:04:19] happened so and I just want to point out because I don't want to miss that this point that is that's specific to gun incidents right I don't have the exact time for all calls and we can get that information for you but we looked into the specific gun incident response time okay and then I think just one thing that really surprised me because I tried to find this information earlier and I guess I just wasn't able to but 3,000 guns concealed carry permitted in the city of 25,000 people which includes a whole lot of children to me is extraordinary I mean that works out to about 12% of our residents are concealed

[02:04:58] carry do you know how that compares did I do that math right well the math may be right I think it's important to note up until I don't know a year or two years ago it I wouldn't say exceedingly easy it was much easier to get a concealed carry permit in Virginia you could do an online course get certified fairly easily and I don't want to argue that you didn't have to demonstrate confidence with a firearm but it was an online course you could do. The standards now I think and I may be wrong about what it was before but I think the standards now are more stringent and it's it's more difficult to to get a concealed carry in Virginia. Yeah my understanding and I learned about this

[02:05:37] when preparation for this when we discussed it at the police department is that the standards have changed but I think an important point along these lines and and I failed to mention it in the presentation is if I may have mentioned it but didn't talk about it in detail is the state of Virginia grants reciprocity so that means that any other state that issues a permit to one of their residents can with that permit carry concealed in the state of Virginia and so that's an important point because not every state has the same standards so even if Virginia has increases standards I imagine there are states that don't have that same requirement or involvement in the process for the person.

[02:06:17] Okay. And so my understanding, and correct me if I'm wrong, is that for reciprocity, there's an option to get a non-Virginia carry for people that are here, but it's not a requirement, right? It's just a secondary reporting. So to get a Virginia concealed handgun permit, you have to be a resident. There are some exceptions that you can file as a non-resident or example if you're in the military and you're based

here temporarily like so there are exceptions but for the most part you must be at least 21 years old and a resident of Virginia to begin that process but reciprocity basically

[02:06:55] accepts anybody that has a concealed handgun permit from any of the participating states which I believe there's 48 states so meaning that we don't know what they had to go through to be able to be granted that permit we don't know what their background is we don't know if their background was checked We don't know that, but we would have to honor it if they presented that permit and they were carrying concealed.

[02:07:16] We would not be able to enforce or make an arrest in that case. Okay, so this might be semantics, but I'm just curious since we're due here. So if someone moves from Nebraska, let's say, they have a concealed carry out there. Let's say it's much less restrictive to get it. They move here. Do we automatically honor that reciprocity, or do they have to go through the Virginia guidelines at that time to get it?

[02:07:38] They have to go through the Virginia guidelines, but they don't have to get it at that time. That permit is good for a certain amount of time. There's no requirement for them within a certain time, to my knowledge, to have to transition that. But once they go to reapply, they would have to go through the Virginia process. So even if they give up their home state of Nebraska and register their cars here and get a license here for driving, they still get to use that same concealed carry permit until it expires?

[02:08:03] In my research, I don't know if anybody else knows anything different, I didn't see any language that required it. Are you familiar with anything? No, I was going to, that's something we can certainly verify in my, I'm thinking that it's once you change your address lawfully, then you're a resident of Virginia and you have to update it through Virginia, but that's something we can.

[02:08:22] The language, at least in the, in the, in the code, it, it doesn't, I didn't see it in the code. Okay. And this wasn't one of my other questions before, but as we're just talking about it and thinking it through. Okay. One thing I will say about the 3,000 known carries is that I think, knock on wood, we've been very lucky so far, but it's also an opportunity for a lot of situations to potentially arise that might not arise otherwise. So that number was just shocking to me, I have to say.

[02:08:50] I think the other thing to point out when you look at addresses, and obviously we're not looking at all 3,000-plus permits, but, you know, there's a lot of business in this city. And so, you know, whether people are using home address versus business address, we can't speak to that.

[02:09:06] But that may be some of that as far as people maybe don't live here, but they work here. Okay. And it's at the time that they apply for the permit. The permit's good for five years, so they may no longer be in the city, right? They may have moved to somewhere else. Okay. And then would that also, though, include, let's say, Secret Service or other law officers that have their own personal weapon?

[02:09:32] So you're not required as a law enforcement officer to have a concealed carry permit. Some do, but we don't have that number. So that's a whole other set of numbers, like people that carry lawfully because of their job, whether they're licensed as a security officer to be armed or whether they have in law enforcement.

[02:09:50] and there's no requirement for any type of a permit to have a gun in your own home or in your car, right? So that's a whole other data point that we don't have to account for. Plus, we also don't know the guns that were not purchased legally or registered properly and all those things.

[02:10:07] Correct. Okay. I'm going to pass the baton at this point. Thank you very much. Councilmember Hardy Chandler, do you have a question? I do. Can you hear me? Yeah, speak up. You're a little bit faint.

[02:10:24] Okay. I just want to thank you for all of the information. Can you hear me now? Is it louder? You're louder. Yeah, I don't think I can get any closer.

[02:10:45] Okay. So, again, I'm appreciative for all of the information as well. My first question is about whether or not any changes to the ordinance have affected or modified the event permitting process.

[02:11:06] have we seen any changes in other jurisdictions in terms of the permitting process and how that is impacted? Yeah, in my conversations with other jurisdictions, imagine I'm talking to my counterpart at the police department, right? So I can't speak to the permitting process.

[02:11:30] I don't believe that's nothing that we looked into. The only thing, I know we had discussions on it a couple years ago with the alcohol permitted events, the requirement to have law enforcement there, so I would wonder if there's a consideration in any of the other permitting processes to mandate, if it's a private event that's permitted, having that private vendor mandate law enforcement presence or off-duty participation in that, so that would be the only thing I think might be a consideration for the events that are privately permitted.

[02:12:06] Okay, and then my second question kind of speaks to slide number nine, and you spoke to that there are incidents where someone can respond faster because they have access to a weapon during an event.

[02:12:24] Is it the position of our police department that that offsets or how does that balance against the reductions that are above that point? In other words, I'm sure those incidents happen, but is it to the extent that it offsets sort of the benefits outlined in the first part of slide nine?

[02:12:51] So I'll just repeat the question just in case anyone didn't hear it. So the council member is asking if the language in slide nine that talks about by allowing lawfully carried firearms by citizens at city permanent events, you can increase public safety by providing a faster response to active violence where a lawfully armed person is in closer proximity than police and intervenes to stop the violence.

[02:13:15] How does that weigh, right, compared to the other points where you reduce the risk of violence associated with guns by the other listed? There's no way to say one outweighs the other. At the end of the day, our position here is we're just relaying information.

[02:13:33] When you look at the studies, when you look at what happens at events where someone utilizes a gun, these are the things, these are the takeaways, right? This is what we've seen play out in real-world situations. And so when, you know, there's something that you learn as a police officer, right?

[02:13:50] There's always a gun involved in anything that we do. And when you first hear that in the police academy, it doesn't make sense because they're basically saying, even if someone's not armed, there's a gun. There's a gun involved in that situation. And then they point out the obvious.

[02:14:06] You are introducing the gun because you're a police officer and you're armed. And so it really starts to frame for each of us in law enforcement, we always have to be cognizant of that. There's a gun in every situation and every citizen interaction. And so I would say the same thing here.

[02:14:22] When we point out the potential reduction in violence by prohibiting versus the allowance and maybe somebody being able to intervene more quickly at the end of the day, this is what we have found.

And we're not taking a position as to one is better than the other.

[02:14:42] Thank you. And the other thing that stood out in terms of your earlier comments, certainly one that I think is a focus of city council, is deterrence. Is it, in your opinion, anything that could be modified in the revisions that would, in any way, based on the research that you reviewed, knowing that it's been inconclusive, but anything that you, from your research background, that would enhance deterrence?

[02:15:15] Because, of course, anything that prevents is much better than having to respond, right? So is there anything that would be added to the ordinance that would, in your opinion, somehow enhance deterrence? So the question is if there's anything that, as far as language that could be introduced, that would help to deter criminal behavior, right, associated with guns or people carrying guns that we are prohibiting.

[02:15:47] I would say, you know, one of the items you're talking about is the penalty. Obviously, the greater the penalty, that's just, it's not necessarily going to deter. Someone that is intent on being armed or committing a crime, they're going to do it.

[02:16:03] They're going to do it. I mean, I can tell you that from my experience. If someone is intent to do harm, this really is a law that is aimed at otherwise lawfully abiding citizens, right, that the focus is creating a safer environment by having less guns.

[02:16:19] I imagine that's the focus because to deter people that have bad intentions, that want to come armed to whatever the situation is, an ordinance and signage isn't necessarily going to deter them.

[02:16:34] What does deter, which is what we do, right, when we're working particular events, how we staff the events, we make ourselves visible, we make the bad guys feel uncomfortable, right? You don't want to do crime here. You don't want to do something here that's not lawful because we're going to catch you and we're going to stop you and we're going to lock you up.

[02:16:52] So that's what we do to deter. As far as the ordinance itself, the penalty can serve as a deterrent to have people comply with the ordinance. That, I would say, is probably the best thing that you could do in terms of deterrence through the language in the law. Thank you. That's all I have. Thank you.

[02:17:12] Council Member McQuillan. Thank you for all of this information. We appreciate your time. I do have a question about the public education component that you had mentioned previously regarding educating the public and all gun owners on where firearms are and are not permitted.

[02:17:34] And if this was to take place, if we were to adopt this ordinance, what actions would you see the city doing in that regard? That's an important piece to it, right, is if we're going to create this law or make the change.

[02:17:50] And really even the existing law, anything that we can do to message from whether it's the police department or the city's communication team, I think it's important to get that information out there. And leading up to events, you know, I think about now when you go to whether it's a football game or somewhere, you go online, right?

[02:18:08] You want to learn what can I bring to the game, what's allowed, what's not allowed, because they have a hard lockdown and they're screening. And if you don't have the right bag or size bag or whatever you bring in, you've got to go back to the car, right? So people go out of their way to learn. And so

we would need to do our part to make sure that we're informing the public in every way possible so that they're aware.

[02:18:29] Because people that are gun permit holders, concealed carry permit holders, they don't want to risk their license, right? They have that permit, they value that permit, and if they were to violate our ordinance and we were to charge them, they could potentially, they're at risk of losing that permit.

[02:18:45] So that's why I reiterate, people that are lawfully minded and want to comply with the law, if they know about it, they're going to tend to follow it. What current challenges would you say arise for officers when rules vary between jurisdictions, particularly with permit holders that might not be aware of the restrictions at public events?

[02:19:10] For the officer, it doesn't necessarily present a challenge because we just enforce the law that's in place for our jurisdiction. The issue is, and also I think it's an important point, we apply discretion. So officers are, no matter what the situation is that they're faced with, unless it's a felony crime where there's little to no discretion that's allowed, if it's a misdemeanor crime, you absolutely have the discretion.

[02:19:36] So you're going to, through your investigation, understand what happened, what was the violation. The example is we just had to rock the block, right? The person was cooperative. We did issue the summons. But, you know, that was a conversation. It's not like we're just automatically locking people up.

[02:19:51] So there'll be a process where we're hopefully identifying any mitigating circumstances that should be considered depending on the situation that we're faced with, but it doesn't affect the police. It's more the effect on the people that are trying to follow the law, but the law is different from one place to another, and so it's difficult for them.

[02:20:10] That's where that communication piece is important, that we're over-communicating whatever the ordinance language is for us. Thank you. I appreciate that. Council Member Hall. Thank you. Just one other thing I wanted to add is a part of the education piece. It's something we talked about before when we brought this up initially. If we do end up moving forward with this, I would like to, when we're talking about costs to do signage and things like that, I would also like to consider opportunities to provide lockboxes or other sort of trigger items that we could be able to distribute to the public.

[02:20:49] I think that if we can try to help them be safer with what they already have, I think it's a great opportunity. So just to clarify on that one, trigger guards are one thing. When you're talking about lockboxes, when I hear lockboxes, I think about things when you walk into buildings where you leave your weapon and it's locked.

[02:21:08] Are you talking about the city getting involved in gun safes in people's homes? No, I'm kind of referring to like, you know, I mean, we have kids over all the time, so I actually have medication lights locked up that I don't want the kids or their friends to be able to get into. I trust my kids, but you don't know everybody else's kids, right?

[02:21:26] So something like that where it could just be a safe place that, you know, yes, maybe it's already on a shelf in a closet, but it's not in a locked box. So just, you know, they were giving them out at Providence Elementary School at one time when they were doing all these different like community events.

[02:21:42] and I know that Moms Demand Action, there's a link that you can do. There was another one that the county put out recently, and Fairfax County Public Schools also provided a link to their website where the county provides some opportunity for it because they're trying to get people to be safe with their weapons, so something along those lines.

[02:22:01] And that's fair. I would imagine those programs are very limited, and obviously there would be a significant cost associated if the city were to try to do something like that broadly. However, we'll look at, assuming this goes forward or not. The one I bought was like \$15, \$10.

[02:22:17] Oh, I understand. But I assume, again, the school ones are fairly limited. And you said you bought it. They weren't distributing them? They were distributing. By the time I got there, I don't have a gun, so I didn't need a trigger thing. But they were giving them out. They were also giving out medication lock things, which then I was like, let me just, I can afford to buy a \$15 one on Amazon.

[02:22:38] So that's what I went and did. So just curious if we could look into what that cost might be to try to distribute. Sure. Thank you. Any additional questions? Council Member Peterson. I wanted to build on an earlier question and point.

[02:22:56] I guess on slide nine, the last point that I think Council Member Hardy Chandler raised, I want to build on that. Basically, the question is, when you say you're a lawfully armed person, let me just shorthand that by saying concealed carry, Because for the sake of conversation, if it becomes illegal to open carry, then that's all that would be left, or, you know, potentially.

[02:23:24] I think it goes back to the study question and any incident-related data we have here. And I know we're not dealing with a complete compendium of studies or a complete analysis of that.

[02:23:39] So we're dealing with just a few studies right now, maybe more to come in that department. But even at that, to your knowledge, in terms of the active shooting incidents, were the people who caused them in any of those cases concealed carry weapon holders or were they caused by others?

[02:24:02] I understand in some cases, if you anyway, the concealed carry holders were active as first responders. But the separate question is whether they caused trouble in the first place. And I didn't hear that they did. Go ahead. I think I can speak on it a little bit, but I don't know if there's data.

[02:24:21] I believe the FBI might have data on all the active shooter incidents of whether they were concealed carry permit holders or not. Is that what I believe? That's what you're asking, is if the people enacting the violence were potentially concealed carry permit holders? I believe the FBI probably has that data somewhere.

[02:24:37] I don't think we have it tonight, but I don't think it was in any of those studies. But it's usually not initially reported whether they were or not. That's usually something later down the line when they do some more research and things on after-action reports that we could probably look into. Okay, it might be helpful just to sort of put that in perspective.

[02:24:53] I think I recall some assessments that said, no, they haven't been. And also that there's a pretty big differential between law violation rates related to guns between people with concealed carry permits and those who don't.

[02:25:12] But I think maybe also just to put numbers in perspective, something to just double check to put it in context. I very much appreciated the stat that there are 3,000 concealed carry permit holders in

the city out of 700,000 statewide.

[02:25:30] And kind of shaking the data around a little bit, this and that and the other, what I learned that maybe would be good to verify is there's a disproportionately high gun ownership rate here in the city of Fairfax compared to the state, which is counterintuitive.

[02:25:46] People would have suggested it would be the opposite. But the data is saying, no, we're actually higher than state average. The thinking was rural areas, et cetera, would be higher. But what that also says is most of the gun ownership in the city is not concealed carry.

[02:26:04] So actually the number of guns by people in the city is 1.5 times or so the concealed carry level. So that's the bigger number here. Part of the reason I call that out is I appreciate that you took a look at some of the requirements for concealed carry, which include proficiency in education and background checks and what have you.

[02:26:31] There is only one other mandated gun education program in the United States of America for people who own guns, and that is hunter education, where in order to obtain a first-time hunting license, you have to go through federally mandated and standardized hunter education, which includes gun safety and ethics and a series of things.

[02:26:56] What I'm getting at is that of the people who don't have concealed carry and who may not have gone through hunter education, and unfortunately I think it's a pretty large number, there is no mandated educational requirement for them at all in terms of how to safely, effectively, and responsibly operate a firearm.

[02:27:18] So to build on Council Member Hall's point, I do think if something goes forward here, I mean, I recognize there are limits to what the city can do. But if there's any way to encourage education by people who own guns, it can only help, given that, realistically, that's the majority pool of people who own guns.

[02:27:41] I think, if I understand what you're saying, regardless of all that, there's a particular set of people who it doesn't really matter. They're going to penetrate whatever boundaries exist to commit crimes. But I still think the bigger issue that we have this really big educational gap is just kind of worth understanding and then contemplating, is there something we might do here?

[02:28:05] Part of the reason I raised this is my first master's thesis was looking at a national analysis of all these hunter education programs to see whether they made any difference in terms of accidents and then criminal behavior. And it turns out they really did, and it was one of the drivers for that program.

[02:28:21] And I had the privilege of actually managing one of these programs for a state conservation agency. A lot of what we did was in support of the wildlife officers so that their jobs would be easier. Because as you say, you can't have an officer behind every tree. You can't be there all the time. You want people responsibly to be out there and doing their part to spot things and behave well while they're at it.

[02:28:42] So this whole world of education, I think, shouldn't be underestimated in terms of its public value. And I just wanted to offer that because, again, the majority of people who own guns are people probably who haven't gone through any kind of educational process at all? Yes. Thank you I appreciate that that the comment and then we'll include that in our notes as far as follow-up regardless of the direction we go in as a city to make sure that we include that in our communication Councilmember McCullough I just

want to provide some information for councilmember Peterson that the Virginia shooting and 20 Virginia Beach shooting in

[02:29:21] 2019 at a municipal building was carried out by a concealed carry permit holder any other comments or questions I think I think what we're oh councilmember Bates. Yeah, just one more thing I Wanted to again point to the Lancet study, which is mentioned and And you know as I've even pointed out to some people I brought it up to You know, it does say I believe it's the very last sentence They're not you know, not the very last but the lesson is the conclusion

[02:29:57] Given that this is the first study on this topic more research is needed to confirm these findings and I mean in general of course, you know just starting out as a graduate research assistant, but in general of course you do want more than just one study to make a definitive claim of a scientific or statistical fact But in the end to that point earlier on It does say that

[02:30:29] Here it is. Moreover in a systemic systematic literature search no studies showing the gun-free zones have either increased or decreasing firearm related outcome were found Hammering home and I you know couldn't find anything either and this was in 2024 So it hasn't been a whole lot of time since then On the other hand in the findings or in the conclusion it also says that we found that gun-free places

[02:31:08] were less likely to have experience in active shooting than places that were not gun-free, and we conclude that it is unlikely that gun-free zones attract active shooters. Rather, gun-free zones may be protected against active shootings. So all this is to say that certainly, as I've said, one study is not conclusive, but when it's one study versus nothing to the contrary, a peer-reviewed study, that is something that we can't ignore, and we also emphatically cannot simply accept the current status quo as the null condition, if you will.

[02:31:48] At the end of the day, we have to make a decision between all the options that we have before us here, and none is any more valid than the other simply because that's the way we've done it. So at any rate, and even before this study even came out, I was in favor of making these changes, and that's also because I simply don't think that, you know, a park or a fall festival or what have you is an appropriate place for someone, a civilian, you know, not law enforcement, not military, to be carrying a gun.

[02:32:24] I know that many may disagree with me, and I respect that. I know there are people, I know people all across the political spectrum, really, who would disagree with that. But personally, that's how I feel, and I also, you know, long believe that this was probably our best shot at, if anything, perhaps reducing the likelihood of mass shootings.

[02:32:53] And certainly, of course, if there were to be more studies in the future that would come out contradicting that, let's say that we find in the future that there are several different studies, vast majority actually saying that gun-free zones increase the likelihood of mass shootings.

[02:33:10] and I'd say, well, you know, we were wrong and we need to go back and reevaluate this. But right now, given what we have in front of us, I believe that the best course of action is to pass the amendments as have been drafted, especially for consistency with the surrounding county.

[02:33:34] I mean, that's another aspect of this is that, you know, we have the county and then the city and then an exclave of the county surrounded by the city. and in the county we have one ordinance in the city we have another ordinance um and that within itself can cause a lot of confusion especially when we have events such as the fourth of july parade that caught that cross city county lines um so at the end of the day

and lastly we have to consider when we have dignitaries attend our events as guests um you know especially when they're coming from a neighboring jurisdiction where they have a more

[02:34:13] strict gun ordinance how do they feel about coming into the city where we don't have the ordinance that they do so at the end of the day you know that's how I feel and if anything I feel more strongly but certainly welcome any further comments or discussions from the public on this thank you all right council member Hardy Chandler any further questions or comments not at this time

[02:34:48] thank you so i i think at this juncture what we're looking for is is there proposed changes to the initial changes to the ordinance if if anyone wants to speak to that number one number two our next agenda item is future future meeting topics and so this kind of is a segue into discussing are we ready for a public hearing i mean i think that's where we are right now we had a work session questions were asked questions were answered we have a proposed ordinance

[02:35:24] change at this time are there is there anyone who wants to make proposed changes to that and then are we ready to schedule a public hearing councilmember McQuillan yes I'm ready to move forward on our next steps and public hearing yes okay councilmember Amos agreed councilmember Hall yes councilmember Peterson? Yes, but I would like follow-ups to some questions that were raised here and some things

[02:36:01] you haven't exactly gotten a chance to button down yet on the first round and an opportunity for that to be shared publicly before people come into a public hearing to comment so they have a little bit more information here. So I'd like everybody to have as much information as possible. I'd also like the opportunity to on reflection provide follow-up questions from this evening for things possibly I don't have any at the moment but I'd like to reserve the right to do that and for that information to be made public prior to the next time we get together to have a hearing on this

[02:36:38] if that's acceptable to everybody here and if I'm not hearing any objections I'm sorry can you repeat the actual what it was that you want to do I know you want information the answers publicly made available does that but we're moving forward the public hearing is that I said yes okay but would like some follow-up and the opportunity to issue additional questions in the interim but again to underscore I think it's very important to have as much information available to

[02:37:14] the public as possible as they come in to a public hearing environment and as the council is considering exactly what to do with respect to any modifications to the ordinance I'm not in a position right now to propose anything but I would like to see some additional information so that I could be myself as well informed as possible about what to do next thanks mr. Foster can mr.

[02:37:41] Peterson can you clear some of the some quite honestly some of the questions and some of the discussion while they are germane and important we talk about education and public education and encouraging people to be more gun safe etc are good and valid things to be pursuing they are not necessarily directly relevant to the questions that are before you mr. Lubcom and can you put up the slide that shows what the changes are i'll defer to the clerk unfortunately we have

[02:38:17] you have an ordinance in place that has restrictions on on locations and and areas the proposed ordinance uh is has very specific do you want to include events uh etc some of the more generic I mean it it's a lot of work to look at national studies and things that aren't necessarily specifically germane

to whether or not you want to include these things and so if there it would be helpful for us because it was a lot of work and I commend Chief Pedroso and

[02:38:56] Captain Hinesley and Captain Tolan and the rest of the team for all the work they put into it but what's before you unless you change the what you want to amend is what's on the screen And quite honestly, some of the questions and some of the comments this evening are really not germane to whether or not you want to do those things.

[02:39:19] And so while they might be germane to a larger issue of gun control and whether or not who should have permits and who should have it or how easy it is or isn't to get a concealed carry permit, that's not really germane to these.

[02:39:34] And I would like to narrow the focus so that our staff is not expending an inordinate amount of time tracking down information and things that aren't directly relevant to the question that's before council.

[02:39:53] Happy to. If you go to the third bullet, or excuse me, the fourth bullet on signage requirements, I think there were some clarifications on what might be involved in signage that might be helpful. There were a lot of questions around that, and I think, Mr. Lubcom, in particular, you said maybe you needed to take a second look at exactly how signage would be handled in some cases, and I think I heard that from the police department as well.

[02:40:19] So it would be great to maybe get whatever clarity is necessary on signage. Yes. I think the short answer to that question is it would involve, depending on what is passed by the council, we would have to do a comprehensive look at the city-permitted events and the events otherwise requiring a city permit.

[02:40:38] The other signage requirements are already taken care of in the existing ordinance. So we're talking about a very discrete group here, and I would argue or I would just suggest that city-permitted events is a fairly easy lift. The broader question would be if you want to sort of restrict access points, et cetera.

[02:40:54] So that's all TBD, and that would depend on what was enacted by the council. We'd have to look at all of the events and ensure that there's appropriate signage and notice for each of those events. But if you're looking for us to construct what that signage would look like before you pass this, that would take a little bit of work by staff to do.

[02:41:13] Okay. And the TBD, where it's dependent on what council does, is maybe what would be helpful to know if we do this, then it results in that. It would be just sort of helpful to know that that's... Well, if you do this, it results in examining every city permitted event and coming up with a signage and notice package.

[02:41:30] Okay. I mean, that's the answer to the question. I'm not trying to keep it short, but we're not going to go down that path until and if the council decides it's going to enact this additional prohibition. And we have some reasonable understanding of what that path looks like. I can share with you from reading that the Lefebvre case versus Fairfax County and there was a lot of a lot of language that pertained to the signage issue and and really and the question was asked like what's the how many feet right that's common and like no parking zones no trespassing it's there's there's set feet that this that doesn't exist for this ordinance so it comes down

[02:42:10] usually to a reasonable reasonable reasonable of reasonableness standard apologize and so when you look at that case which is really the only case that that we can point to presently they were able this the county was able to they kept a record of where the signage was they had the sample sign that they could bring to the court and what they talked about is anywhere that it would be reasonable for someone to enter that venue there was a sign that was clearly visible and so that would be what would be involved and and so it would and that's an interpretation thing right for each of us for for whoever is representing parks and rec or managing that event is determining where where are these signs going to go? Where are we going to put them? Where would people most likely be

[02:42:49] entering this event so that we have proper signage? It's going to be different for every event. Okay. So there's an implementation part of this that would occur. We don't know exactly what that looks like, but we have a general idea of what it looks like. That's correct. And again, the other reason, and again, it depends when and if anything's enacted. If there's an event immediately occurring after an ordinance change is enacted, we might suggest for a delayed effective date because otherwise we might be running around putting signs up and not having a path for doing it properly.

[02:43:23] But yes, there's a relatively straightforward procedure for putting signage up at these events if we have to do so. Great. Fantastic. So the other question that may have been answered, but I want to double check, is kind of the geographic question about the map. What is a public area and what is not if somebody wanted to know what is this patchwork going to look like is there a way for us to answer that well so right now it's it's it's easy you have public buildings

[02:43:57] whether they're complete public buildings or portions of buildings that are private that are being used for public purposes there's recreation centers for example and there's city parks those are easy to delineate. Adding city permitted events, we've already talked about events that are otherwise permitted by the city because those tend to be in public parks, but adding city permitted events will be a discrete area. Everybody knows where the fall festival is and that would be signed. There's no prohibition on broader public areas that are not otherwise within parks or at a

[02:44:33] time of a public event. So I guess the answer to your question is it would be easy because there be no signage required because there's no prohibition so the george snyder trail example again and and i may be showing my ignorance except to the extent that any of that trail meanders in and out of the boundaries of a city park but again that would be discrete we would put signage up and deal with it and i think the manager may have a point i think if i'm understanding the question there there are there is and we use city hall property the city hall property is not

[02:45:08] considered a park so therefore the current prohibitions don't apply and these new prohibit prohibitions that are being proposed would not apply you would have to call this you would we would have to now refer to this property in which this building sits as a park you would also if you're wanting to and have more areas like where some of our bike paths and are to be considered as a zone We will have to declare all city open space as parks that will require, that is separate and different than what this is.

[02:45:45] That's something that you could do today, not literally today, but you don't have to amend this ordinance because parks, in the existing ordinance, it's already prohibited in parks, but parks are discreetly defined. Our city open space is not discreetly defined.

[02:46:00] if you want to discreetly define all the publicly owned property that is open space and declare them to be parks, then the current ordinance would apply. Is that correct, Mr. Lovner? That's correct,

although I would caveat that by saying I don't think it'll be an easy process to delineate open space within the city as a park.

[02:46:21] I think there's a lot of considerations associated with that, but it could be done. It could be done, but outside of this process. For the open spaces that you're talking about, is it the language in the county ordinance, I believe, that says open, it's either open spaces or public spaces or roadways adjacent to the permanent event?

[02:46:41] So are you asking, like, if we did fall festival, we would do a map of our ops plan like we typically do, but then the adjacent streets and public ways would be highlighted or somewhat communicated to be prohibited? So I think that would be very helpful. As I understand, there are two different situations.

[02:46:59] One is exactly that, where we have an event and then we have adjacency. And the adjacency is the sidewalks, but as I understand it, streets with people in cars going down streets will not be covered, and that is consistent with Attorney General Hearing's opinion from a few years back, right?

[02:47:17] So streets would not be caught up in this in terms of vehicles passing by, is that correct? It would be if it's within the footprint and it's part of the footprint of the event. You could delineate it. You could apply it to the streets. yeah so it would be great to understand that more clearly i mean just for the sake of conversation during the fall festival if somebody's trying to what i would envision is that the uh the way that this would proceed is you would uh you'd have a a schematic a map that would be readily available shown to everybody that would show the boundaries of where the firearm prohibition would be easy to

[02:47:52] do okay great so it would be helpful to clarify that so that people would know if i want to get out of town and not get caught up in this, how do I get out of town without entering one of these adjacency zones in my car and getting caught up in a violation?

[02:48:10] Well, again, so if you're talking about the events, the prohibition only applies during the event. I understand that. So, I'm just trying to understand. Saturday afternoon during deer season, and I want to get out of town. How do I do that without getting in trouble? That's probably a consideration into the ops planning, too.

[02:48:27] If this were to be expanded, One of the things with the operations planning that might change is you would extend where the road closures are. Things like that that would be worked into the planning phase of this to where during the fall festival or July 4th, you don't drive down Chambridge Road.

[02:48:43] So things like that would be considered in the planning around a new ordinance. And often the roadways would otherwise be closed that would be included within these events, right? Would typically be the way that those prohibitions would arise on roadways. I just think it would be great to be clear with folks about what this kind of looks like to avoid confusion.

[02:49:05] And to give a really good example, so taking fall festival again, I would deem it highly unlikely that there would be a prohibition on 123 when fall festival is occurring down north and everything, just because it's adjacent to the event. I mean, there would be some common sense associated with this.

[02:49:22] And then the other situation that I think parallels that is the situation where it's not an event but it is a park and in that case the i don't think it's an adjacency issue i think it's just a park designation

issue as i understand within the boundaries of the park there's no so the the adjacencies only come into play in the context of the events buildings parks uh rec centers it's the buildings themselves that's all that we have the authority to regulate the land as well as the buildings uh for for what which

[02:49:59] of the examples for a park it's the park boundaries as existing so the example again some of our parking i believe is not within the park boundary but ordinarily the parking would be within the park boundary so i mean you know there's there's different situations around the city as there are in every jurisdiction okay and then the final thing which came up and while it's not a part of the proposed ordinance has certainly been a part of the dialogue here which is the question mark about whether as a part of this or in parallel with it, there are some other measures that the city could commit to

[02:50:35] that would be helpful in terms of the coverage of things occurring under this ordinance, but things related to it and the educational things. Part of it is the question, for instance, with education, how are we advertising events in a way that's going to minimize the risk that these are going to become seen as attractive opportunities?

[02:50:55] I know that's a far-fished argument to some, But, you know, in these gun-free areas, but what are we going to say and do from an educational standpoint to make it clear that we're trying to prevent any increase in risk? So there's just some implementation things that would be good to know if we could and should do as a part of this to make them as effective as possible.

[02:51:15] There's the whole response time thing. This is not a bad time to be raising the question mark. Is there something the council can and should be doing to help you right here and now with response times issues? Okay, so councilmember Bates Point of clarification in that same vein there is a provision under the Section D in the staff report They're sorry subsection D of the 54 - 4 That was this section shall not apply to and then there is a list and

[02:51:53] item number six is transportation of firearms you ammunition components or combinations thereof in a vehicle when such firearms are secured out of sight in the vehicle that is being driven on a public street road alley city parking lot or a public right-of-way that is open for usual transportation purposes so um would that apply to roadways that are adjacent to an event would otherwise be included or covered by the ordinance um but are still open to the public so i think the language is key that is open for usual transportation purposes exactly the comment i made a couple

[02:52:30] of minutes ago is I find it very unlikely that we would have a prohibition on any city streets that were not closed as part of an event. Because first of all, I think the policing of it would be virtually impossible. But then from a practical standpoint and a notice standpoint, I mean, having a sign on an open street, people driving down, all of a sudden they see a sign as they're already driving down the street because the parts of the street that aren't immediately adjacent wouldn't have any signage. So the short answer is I think it would only practically apply to Streets that are otherwise closed as part of the event. Yeah. Yeah, okay. That's good which I think that makes sense You know, I think it would be

[02:53:08] Probably highly impractical to apply it to adjacent roads that are not closed Thank you if I can add also to to this this conversation from a policing standpoint If let's say there's a garage that somehow is within a footprint of this permanent event If we're not if we don't have proper signage at that garage if there's a if there's an area that we haven't properly Posted the signage then from we would not enforce right and that would be part of our when we're identifying the elements of the crime one of those elements is that there's proper signage and we would know and identify

[02:53:44] We didn't have signage as people entered this garage or we didn't have signage in this part of the festival So we're not going to enforce it still it's still against the law if it's part of the ordinance, but we are unable to Enforce so we could educate we can advise the person but the signage is the key before we do anything councilmember Amos Well, all I was going to say is that we're also going to probably have a number of questions and comments from a public hearing, so we're still going to require additional discussion following this anyway, but I think everyone is still in support of moving forward of the public hearing process, is what it sounds like.

[02:54:22] Council Member Hardy-Chandler, are you... I would like to move forward with a public hearing. You would like to move forward. It sounds like we have a preponderance or a majority of people who would like to move forward with scheduling the public hearing. Is that accurate?

[02:54:38] I think it is. Okay. Yes, Council Member Hall. I just want to point out, no one's trying to get one over on someone. No one's trying to be sneaky with this. I mean, that is not the intent of our police here. It is to enforce something where it is legally potentially not allowed.

[02:54:55] There will be proper signage. And as you said, if there's not proper signage, then you will not be lawfully able to enforce at that time. So I do think there will be a learning experience, an opportunity for residents if this is implemented. But we're not out to get anyone.

[02:55:11] I mean, that's not the goal of any ordinance as far as I'm concerned in the city. And I think that's key to understand. And importantly, we strive to never just do the minimum when it comes to notice, education, et cetera. I think the city has a tradition on ordinances like this and other matters involving violations of law, et cetera, that we try to make sure that there's sufficient notice for the reasonable person and perhaps a little beyond.

[02:55:39] I mean, I don't want to commit to anything specific, but we are very cognizant of the fact that it's fundamentally unfair to cite someone for a violation in most cases unless they have adequate notice, especially on something where in other areas it's perfectly legal. Thank you very much for the presentation.

[02:56:00] We are going to move on. I will now reconvene the regular meeting, and I'm going to call a five-minute recess. We will reconvene at 10 p.m.

[02:56:21] And welcome back.

[03:04:31] We have now reconvened the regular meeting. Ms. Shinneberry, I think we are moving on to future meeting times. Yes, we are. So, Mr. Foster. Thank you, Mayor. So, for the future, so I was going to focus just on the next two meetings.

[03:04:49] October 7th, work session, that actually draft agenda was already distributed for feedback with deadline of 5 p.m. I think a couple of council members had questions about item number four, the charter legislative discussion.

[03:05:07] And I think Mr. Lubcom and sent out clarification, but just to clarify, we talked, so the reason I, and this is something that I brought up for your consideration, which is during the budget last year, I had a conversation about transient occupancy tax.

[03:05:26] There's an absolute cap for the city of Fairfax, and it's because it's in our charter. And if you want to have the ability to raise it, you need the charter to be amended. In order to amend the charter, we

have to hold a public hearing, and then advertise a public hearing, hold a public hearing, get public comment, and then counsel take action, and then you have to have time to present that to our legislators for them to get it for this upcoming session.

[03:05:51] So if you want to have that ability for the budget, that has to happen now. So the purpose of the discussion is discuss what, if anything else other than charter, or excuse me, other than transit occupancy tax, that's what the discussion is for on the 7th.

[03:06:08] Then on the 14th, we would introduce whatever ordinance proposed change. No, we'd advertise the public hearing for the 14th, right? Did I get that right? No, we'd introduce it on the 14th. We would get a resolution from council directing us to move forward with a public hearing, ideally on the 28th.

[03:06:27] Yeah, and on the 28th, we have the public hearing and action after getting citizen feedback. So we don't need to discuss that now, but that is what that issue is. And I believe Council Member Hall was asking could we change the order because she's going to be remote that evening.

[03:06:44] And so we are fine changing the order. So we would leave item one the same, which is the community survey presentation, and then we would do charter legislative second, and then the two transportation items. So that's how we'll present it, unless anybody else has an objection.

[03:07:04] Then on the 14th, that's your next regular meeting. You, of course, have presentations. The gas lighting license agreement, we've talked about that before. We had to push that back. I think we were working on language. And that may slip to the 28th.

[03:07:19] We're still working on that. Okay, that might slip to the 28th. So that's a moving target. Again, it's on consent. Again, same process. It's just being introduced. You have to have a public hearing. that is that neighborhood wants to keep their gas lights they just we just need to give them a license in order to do that they'll own and maintain them that is not time sensitive on our part you do have two public hearings scheduled one on the land use application for the proposed willard sherwood health community center and then the public hearing that you took action on tonight you introduced the ordinance about our retirement plan during consent that will be the second public

[03:07:58] hearing that evening, and then you have three items for work session, which are detached ADUs, where we'll be ready to discuss potential video testimony that had come up, and then Mr. Lubkerman's going to talk about rules and procedures.

[03:08:17] Now, based on the discussion you just had in the work session about the proposed change to firearms ordinance, you need to set a public hearing for that. You've all indicated, or I think the majority or unanimously want to move forward with public hearing. So the question for us is when do you want to schedule that?

[03:08:36] You actually had it. It was originally scheduled for this evening. We did not have it. So we actually will ask you, after we have this discussion, somebody to make a motion to say that we've deferred the public hearing on that.

[03:08:52] That was to be tonight to a date certain of. The question is, do you want that to be on the 14th of October or on the 28th of October or at the November meeting? I say it doesn't matter to us.

[03:09:07] It just, we can meet the advertisement requirements. It's just a matter of when do you wish to have that. So the only caveat is, because there's only one meeting scheduled in November, one meeting scheduled in December, those meetings may fill up a little bit, potentially. Maybe right now they're not, but the...

[03:09:26] They're not, I mean, if you're looking ahead, there is a public hearing, there are two public hearings on the 14th already. The first one on Willard Sherwood potentially would have, generate public interest and public comment in terms of, like, how long we're going to be here.

[03:09:45] My suspicion is the second public hearing will not really generate much public comment. That's more of a housekeeping item, but it does require a public hearing. And then the 28th, the current public hearing scheduled is for the license agreement at this moment for Breckenridge for gaslighting.

[03:10:04] Again, I'm sure they'll come. I don't think that will generate a ton of additional public comment. And then on the 18th, you have two public hearings tentatively planned, one on noise ordinance and then one on our proposed, to be proposed legislative program.

[03:10:25] So any preferences on when, I will tell you, my expectation is this public hearing, the public hearing we're discussing on the proposed firearms ordinance will attract lots of public comment, and that will probably be quite, that would be my expectation, that would be a quite lengthy public hearing.

[03:10:46] Councilmember Amos? I mean, I was just going to chime in. It's probably going to eat whatever work sessions or anything we have planned for that day, whichever one we pick. I would probably recommend not pushing it too late because we don't want to go into the holiday season with people traveling for Thanksgiving and Christmas. I think that would just be a bad look.

[03:11:03] So honestly, I'd probably say sooner the better. I'm open to the 14th or the 28th. And also with the intent that I think we discussed before doing the public hearing and then probably doing the decision at a separate meeting because it's going to be a long one. Okay. 14th.

[03:11:20] I think Ms. Hardy-Chandler had her hand up. Yes, yes. Council Member Hardy-Chandler, your thoughts? I prefer the 14th as well. 14th, okay. Can I clarify? So I forget who suggested it.

[03:11:36] Are we doing hearing the 14th, but then decision two weeks later, the 28th? Is that the game plan? Okay. That's fine. Yeah, I mean, that's fine by me. I just wanted to note there was an agenda item here October 28th, combined courthouse.

[03:11:56] I expect we'll have a crowd interested in that, And I don't know whether that subject -- whether that will become a heavy subject of public comment, but lots of interest from the public on that.

[03:12:12] So I just wanted to note that could require some time. Chair Greg Musil: Yes. Although I would note, if I'm remembering correctly, you all closed the public hearing on combined. So this would be council action that evening, but you might have people speaking under general public comment. Chair Greg Musil: Right.

[03:12:28] It sounds like that we're looking at the 14th for the public hearing and then taking action on October 28th. Did you want to make a motion? Sure. So I have to move to defer tonight to me. You want to defer tonight's public hearing to October 14th.

[03:12:45] I move to defer tonight's public hearing on the gun ordinance to October 14th for the public hearing. That's all you have to say. Cool. Thank you. Second? Second. Okay. It is a motion that's been made

by Council Member Amos. Seconded by Councilmember Hall.

[03:13:03] All those in favor, aye. Aye. Any opposed? Any abstain? It is unanimous. Thank you. And we will list that given the other items. I would suggest listing that as the third public hearing rather than the first public hearing, if that is acceptable.

[03:13:22] Good idea. Okay. All right. And so that's for now. I mean, that's unless anybody has any other questions on the futures list. MR. I do. MR. Councilmember Peterson? MR. So we will be talking about Willard Sherwood at some point.

[03:13:43] And at what point prior to that time will we be receiving information about that? Is that going to be just a couple days in advance, or is there going to be an advanced presentation that we receive at a prior meeting? How is that all going to work? MR. So you're talking about -- so Willard Sherwood, are you talking about the land use hearing so this is helpful clarification so there's a land use hearing but that's the land use here the land use public hearing which will be on October 14th that's at your next meeting that is purely there are some special exceptions right and that has that is totally independent of your

[03:14:21] decision-making that you need to do about the project itself and the second issue then the project itself does that show up on this futures list it does not yet be and the reason it's not there is because the way the way that project is set up it is a construction manager at risk meaning we already know the contractor and all that's going to be when they have final pricing firm final pricing that's when we will that's when we will come back to council with and we will have a presentation with all of that information and that is when we

[03:15:00] would have a decision point about moving forward and mr. Harden is nodding his head so we don't we don't have a date yet it's either going to be end of it'll be end of the year or maybe even January so yeah as far as when we'll have that final data for which to base for council to then decide go or no go and the county the county has that same decision point as well that's how that contract is structured i would

[03:15:35] only say that sounds like a long time and this is a really big project and you know lots of work will be happening along the way and we'll be expended expending funds along the way i if there's a way for us to sooner rather than later get some sense of what that's looking like it would be helpful i mean we have i mean we we have estimates as we've and we've presented that before we're within budget so the contracted amount is 56 that's our contract to share we've discussed that in prior meetings and work sessions that has not changed the the the last information in which we discussed two or three months ago it

[03:16:14] was it has it been that long yeah two or three months ago we were still within budget of the latest estimates and as we get additional estimate if should we additional estimates we'll keep continue to keep you updated but just purely from a what we what our expected share is we're still within that amount but we won't know 100 until we get firm pricing and we won't get firm pricing until later uh that'll still that's still a little ways off so the best information we have is 56 million is is what our share estimated share is and the last

[03:16:53] estimate we had on construction costs were less than 56 million. All right. Any additional questions on that? Well, I would just say, I mean, it would be helpful to get maybe a holistic understanding.

[03:17:08] There's construction costs, but what's the project looking like in terms of the combination of its costs and its revenues to see how this package is looking? Because it's been a while, I think, since we've... It

has been a while, and we will become... You will have that information before you in time, not a day or two before, but in time to make an informed decision.

[03:17:30] But I cannot tell you specifically when that will be as of today. But once we know something, we will certainly keep informed and we will add it to the list so you'll know that it's coming. Thanks. Okay. Anything else on the futures list?

[03:17:49] Anything else on the futures list? For now, we're set, and we are subject to review this at future meetings as well. I think that takes us to the manager report out and council comments and committee reports out. So we'll start with Mr. Foster.

[03:18:04] Just very quickly, so at your next meeting or your work session next week, you will be having the presentation from ETC on the community survey. I have binders for you to take home, which has the results that they will be discussing, So you'll have time to review those ahead of time before they come and do their presentation.

[03:18:28] But until you have your presentation, we will not be putting that on the website or anything until just like we would do with the budget. Once it's presented to you and you have that opportunity to review and ask all your questions in front of the public and on camera, et cetera, then we will post all of that.

[03:18:51] and then for the public to consume as well. And I mention that just because I don't want you to leave tonight before you get your notebook. Thank you. Okay, so council comments. Council Member Hardy-Chandler, anything you want to share? Not at this time.

[03:19:10] Thank you. Well, thank you for hanging in there, Council Member Hardy-Chandler. Council Member Amos? I just want to shout out my wife, so that's official now. That's it. Council Member Hall? I would just like to wish all who are celebrating Yom Kippur on Thursday, wish you it all an easy fast, and may you be sealed in the book of life.

[03:19:37] Council Member Peterson. Just to acknowledge that there are a lot of people in our city and in our region who are either directly employed by the federal government or indirectly employed.

[03:19:59] And this has been a difficult year for them, and the year is a long way from being over. And at this particular time right now, more than ever, I just want them to know that our thoughts are with them. We're here in the city to try to do what we can to be helpful to you. We realize how important you are to this city, and we want to be there for you in any way we can.

[03:20:20] Thank you. Councilmember Bates? Happy, good forward to all celebrate. Thank you. Councilmember McQuillan? No, thank you. Okay. Well, that was very efficient. I just want to congratulate Councilmember Amos and his lovely bride.

[03:20:37] It was a lovely wedding. We wish you every future happiness. And also, to echo what Councilmember Peterson said, with a looming shutdown, We understand that it may not mean a lot to people elsewhere in the country, but it means a lot to us. We have a lot of people in our city, in our region, and in the greater Washington metropolitan area who are going to be dramatically affected by this.

[03:21:02] And we do understand the hardship, just to acknowledge that. All right, then. I think that takes us on to our closed meeting. So I'm going to move that the city council convene a closed meeting under

Section 2.2-3711.8.1 of the Code of Virginia to discuss personnel matters in Section 2.2-3711.8.7 of the Code of Virginia for consultation with legal counsel on non-litigation matters.

[03:21:32] All council members in favor of the motion, please signify by voting aye. Aye. Those opposed to the motion, we should vote nay. and the vote is unanimous in favor of the motion. We went into a closed meeting at 10.21 p.m.



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